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A M E R I C A.

THE attack on Fort Sumter may be explained by the strong interest of the seceding States in provoking a collision. Although the officer in command seems to have sustained the honour of his flag, the result of the struggle could not have been doubtful. The Government of Washington must have foreseen the occurrence, and it has throughout preserved the secret of its intentions with unusual firmness. The telegraphs and the newspaper correspondents have become so far aware of the change as to diversify their positive statements with occasional confessions of ignorance. A small force has been despatched Southward, but it has for some time been understood that the Cabinet had abandoned all intention of relieving Major ANDERSON in Fort Sumter. The remaining alternatives were the occupation of posts on the islands of the Southern coast, and the more formidable enterprise of reinforcing General HOUSTON in Texas. In the absence of information, it may be safely assumed that Mr. LINCOLN had never any intention of commencing hostilities, though it might be prudent to take up positions which might be serviceable in the event of a collision, while they would have a tendency to exercise a favourable influence on negotiation. Mr. JEFFERSON DAVIS has probably a defensive force greatly superior to any army of which the Northern States could dispose for purposes of invasion. On the other hand, he cannot hope to command the sea, and he must be well aware that Foreign Powers will not be hasty to quarrel on the subject of blockade with the United States. It is said, on doubtful authority, that there is a hope of reconquering the divided population of Texas. General HOUSTON, after ratifying the vote of secession, has disputed the authority of the Convention which was elected for the special purpose of deciding for or against the maintenance of the Union. Northern politicians think that the quarrel between the rival authorities of the State indicates the existence of a strong party, perhaps of a majority, opposed to secession; yet it is clear that the Convention, according to American usages, represented the popular judgment, and the Governor himself, who leads the opposite party, is pledged to the same policy. Even if a schism really exists, it will disappear as soon as either faction receives offers of assistance from the Government of the United States. The people of Texas are not of the straitest sect of political moralists, as they principally consist of daring adventurers, who are at the same time enamoured of slavery and willing to carry on a desultory warfare with savages and with half-civilized Mexican neighbours. It is certain that few among their number will sympathize with the Republicans who at present hold office at Washington. General HOUSTON, if he wishes to preserve his influence, will be the first to repudiate the armed alliance of the obnoxious North. Recent events have not encouraged projects for the employment of the United States army in Texas. The respectable TWIGGS laid down his arms to the secessionists only a few weeks since, transcending the FLOYDS and their accomplices as far as a deserter is, in common estimation, regarded as worse than a simple traitor. The astonishment and admiration which have been called forth by Major ANDERSON's discharge of a plain duty seem to show that little reliance is to be placed on the average officers of the army. The soldiers, who are for the most part either Irishmen or Germans, are not likely to show any patriotic enthusiasm in favour of the service. Any force which might be sent to Texas from the North would collapse and disappear before it could enter on a campaign for the restoration of the former Federal Government. The inhabitants of the State may perhaps require assistance against the Indians and Mexicans, who are said to have lately taken advantage of the distracted state of the Union; but the

Southern Confederation will furnish numerous volunteers for a popular war, which may serve as a natural commencement of its meditated conquests in Spanish America. On the whole, it is highly improbable that Mr. LINCOLN has sent his available force to a point far removed from the expected scene of hostilities. If the remainder of the South maintains its independence, it will evidently be impossible for Texas to resume its former connexion with the Government of the United States.

The other Federal posts in the South will probably share the fate of Fort Sumter. Both the principal parties in the dispute are, with good reason, chiefly anxious to secure the support of the wavering Border States. Virginia and Kentucky can only be kept in the Union by pacific and conciliatory measures; and therefore Mr. LINCOLN and Mr. SEWARD had every reason for postponing a collision as long as possible. Mr. DAVIS may perhaps have hoped to effect his object by a precisely opposite course. When blood has once been shed, alliances are determined by the preponderance of interests and sympathies, and not by a judicial estimate of the merits of the ultimate quarrel. Slave States, since the struggle has begun, will not desire to be at war with the supporters of their own institutions. In ordinary times, it would be highly inconvenient to Border slaveholders to live in the neighbourhood of an imaginary frontier with free institutions beyond it, and without a fugitive Slave-law; but if it is necessary to break with either party, Virginia, as a slave-breeding country, can no more dispense with the cotton districts than the Lincolnshire horse-dealer could do without a market in London. It was, therefore, the interest of the South, and not of the North, to bring about a state of affairs in which neutrals will be compelled to choose their side. For this purpose, it may have been worth while to accept the responsibility of being both really and apparently in the wrong. Another motive for a rupture may have been furnished by the existence of the minority which, according to the sanguine belief of Northern politicians, is inclined to revoke the act of secession. Mr. JEFFERSON DAVIS and his colleagues are themselves undoubtedly in earnest, and they must be well aware that a war would at once suppress all difference of opinion. At the time of the revolt against England, a large part of the American population was opposed to separation, but the more numerous or more vigorous section affected to speak in the name of the country, which has since almost forgotten a difference of opinion inconsistent with patriotic traditions. Whatever private hesitations may prevail, the fall of Fort Sumter will be celebrated by all South Carolina with unanimous shouts of triumph.

The English worshippers of American institutions are in danger of losing their last pretext for preferring the Republic to the obsolete and tyrannical Monarchy of England. Till within a few months, they were never tired of pointing to the harmony and perfect unity of a great empire without an army, a navy, or a peerage. When the disruption came upon them unawares, after an interval of surprise and disappointment, Mr. BAILEY'S followers recovered their breath to express their admiration for the mode in which the secession had been accomplished. Industry, they said, went on as before—there was no quarrel, except in newspapers—and the peaceful euthanasia of the Union was the best proof of its sound constitution. Kingdoms and aristocratic Republics, with armed forces at their disposal, resisted with ruinous obstinacy, at the cost of unlimited bloodshed, the revolt of disaffected provinces. The American Government, on the other hand, had avoided the sin and the danger of fighting, because, amongst other reasons, there was no army to fight. TWIGGS himself, it might be added, obtained his commission as General, and his appointment to command in Texas, not from a Parliamentary kinsman, but only from a Secretary at War who foresaw the necessity for an accomplice in treason.

Ordinary politicians doubted whether facility of dissection was, in politics or in nature, characteristic of a high organization. There are reptiles or insects which grow into new units when they are cut in pieces, while warm-blooded animals are liable to die on the loss of any vital part of the system. It now appears that the peaceable completion of the secession has become impossible, and it will be necessary to discover some new ground of superiority by which Mr. BUCHANAN or Mr. LINCOLN may be advantageously contrasted with Queen VICTORIA. The distinction is not to be found in commercial orthodoxy, for the Morrill Tariff shows that Republican manufacturers can be as greedy of selfish advantage as the stoutest agricultural Protectionists who were formerly to be found in England. Until the present difficulty has passed away, perhaps it would be convenient to discontinue the standing contrast between English defects and American excellencies. Even Mr. BERKELEY recited his Ballot performance without a single reference to his former Transatlantic models.

#### POLAND.

WHEN the French speak of the Polish question, they can only mean that in Western Europe a very warm sympathy is felt for the Poles. There is no Polish question in the sense in which there is a Hungarian question or a Turkish question. Russia is far too strong for that, and the Poles are as lambs before the butcher when once the military force of Russia is called into play. What can four millions of people, unarmed and unorganized, do against a people of fifty millions, with an army of half-a-million, trained to such a pitch of unreasoning obedience that they would commit all the crimes in the Decalogue at the simple order of the Czar? It is quite idle to suppose that Poland can make head against Russia if once a struggle of physical force begins. But the Poles undoubtedly possess a singular power of awakening the sympathies of Western Europe; and in the long run, and in a subtle and indirect manner, they may very materially alter the position of Poland. In England, all men who know the course of modern history, who can admire the gallantry of a noble nation in distress, and who have the heart to feel pity for great miseries, are drawn towards the Poles by the remembrance of what they have been and the knowledge of what they are. There must be many fine qualities and a strange tenacity of life in a people to have kept up so strong a sense of nationality as the Poles have done under circumstances so unfavourable. The partition of Poland has also always been regarded as an insult and a challenge to Western Europe. It was done in defiance and in despite of France and England, and we therefore add a standing resentment to our sympathies for the fallen when we think of Poland. France feels this even more than England. France openly appealed to Poland to help her against Russia, and NAPOLEON gave it to be understood, in the days when he thought he could build and unbuild at his pleasure, that he intended, among other things, to restore the kingdom of Poland. The resuscitation of Poland has been, for the last fifty years, a point of honour with many of the most generous and most enterprising minds of France. Poland is also linked to France by the ties of their common Catholicism, and Paris has been, even more than London, the centre of the Poles in exile. We cannot, therefore, be surprised to hear that the massacres at Warsaw have excited a profound feeling of pity and indignation in France; nor is it impossible that for the moment this feeling may be so strong that a very intimate union of policy would be impossible between the Russian and French Cabinets. As the greatest danger of a general war lies in the chance of Russia and France coming to a resolution to arrange the disruption of the Turkish Empire according to their fancy, the Polish outbreak may, in this way, have a temporary influence on European politics. But national policy is much more a matter of interest than of sentiment, and if France and Russia saw their way to making a good thing out of an aggressive alliance, it is not to be supposed that French pity for Poland would long divide them.

The massacre of the 8th of April turns out to have been one of those frightful atrocities by which despotic Powers give what they term salutary lessons to dangerous people. It appears by the latest accounts which have reached London, that on Sunday the 7th, it was determined to shed enough blood to strike terror into the disaffected. A council was held, and Generals PANJUTIN and LIPRANDI, whose names ought to be held in honour throughout free Europe, alone protested against the dreadful butchery on which the Govern-

ment relied for the restoration of order. A massacre was resolved on, and the resolution was carried out on the following evening. The soldiery not only fired on the mob, but used their sabres, and even their bayonets. It is said that one officer who received orders to take a part in this wholesale barbarity flatly refused. He preferred to die, and anticipated the certain sentence of a court-martial by killing himself. Plenty of officers and men, however, were at hand to do the work, and on Monday, the 8th, thirty-nine Poles were killed on the spot, and a vast number were wounded. Order, we learn, has been restored. No one walks the streets after nightfall without a lantern, no one presumes to wear mourning as a sign of patriotic lamentation, and no one carries a dangerous walking-stick. This is the happy result which has been achieved by suddenly hurrying thirty-nine persons into eternity, and by spreading desolation and woe through hundreds of families. The Russian authorities wished for this, were determined to have it at any price, and have got it. We may be sure that they justified it to themselves, as men possessed of despotic power always justify acts of this sort. Even the most recent history of Europe abounds with instances where the same sort of measure has been taken. The POPE's troops massacred the POPE's subjects at Perugia, in order that other towns inclined to revolt might be taught to hesitate. After ORSINI's attempt at assassination, hundreds of Frenchmen, against whom there was not even a shadow of suspicion, were swept off to Lambessa and Cayenne, in order to terrify the Republican party. Those who do such things always urge, and perhaps often believe, that they do them out of a far-seeing benevolence. It is better, they would say, to kill thirty-nine persons at once than to let the revolution go on and have to kill a hundred times as many. That these thirty-nine victims have committed no legal crime whatever is one of those trifles which grand Governments, acting on a grand scale, cannot afford to notice. Even Englishmen are sometimes inclined to doubt whether despotism is not the best thing after all. Let them, at such moments, call to mind that massacres like that at Warsaw are simply impossible under a free Government. Authorities that can be called to an effectual account would never dream of meeting on Sunday night to decide on a massacre on Monday.

Undoubtedly there are Russians who would feel a genuine abhorrence of such an act; but we suspect that they are almost entirely those who have come in a large degree under the influence of Western, and especially of English, political ideas. It happened, we believe, that M. HERTZEN, the well-known Russian exile, was celebrating the emancipation of the serfs, and paying a tribute of well-merited praise to the EMPEROR, when the news of the first collision between the troops and the people at Warsaw arrived, and then, in the extraordinary language of the penny-a-liner who relates the anecdote, M. HERTZEN "cancelled his 'laudation." Prince TROUBETSKOI, on the other hand, who lives in Italy and is a warm supporter of the Italian cause, has published a letter denouncing the Poles, who have, he says, no notion of real liberty, are governed by their nobles, and would like, if they could, to help the POPE. One of the effects of the far-reaching despotism of Russia is that almost all Russians, of whatever rank, who oppose it, are strongly inclined to the doctrines of democratic equality. To live under a Catholic aristocracy, even if the free choice of a nation, seems to them as far removed from liberty as to be trampled on by an omnipotent Czar. Not only, therefore, are the Poles without any physical force that can enable them for an instant to resist Russia, but there is no great sympathy between them and even liberal Russians. It is only by slow degrees that their position will be improved; but, unless they give useless provocation, or are guilty of any acts of excess and outrage which would check the current of Western opinion that now runs in their favour, there is no reason to doubt that by degrees they will regain a considerable amount of political liberty. Every year an increasing amount of Western, and especially of English, thought is poured into Russia; and every year the Russians are more anxious to be recognised as an integral part of the European community. In time this must tell in favour of Poland; for, until justice is done to the Poles, there will always be a barrier between Russia and the West.

#### THE BUDGET.

THE conversations which have taken place in the House of Commons on Mr. GLADSTONE'S Budget would seem to confirm the expectation that it will be carried. Mr. BARING

pointed out serious objections to the plan, but the determination of his party to abstain from moving an amendment rendered his arguments comparatively unimportant. There can be no doubt that the leaders of the Opposition are in the right. The defeat of a Government in a proposal to repeal taxes is a damaging and unpopular triumph. It is impossible to point out a glaring deficit in the balance-sheet of the year, although Mr. BARING is justified both in questioning the surplus and insisting on the prudence of keeping on the safer side. There is a great difference between the opinion that a Budget is faulty and the resolution to reject it. The initiative necessarily belongs to the Minister, and the House of Commons, though it may impose a negative, can seldom force him to adopt an alternative course. It is agreed almost by universal consent that a reduction of the customs on tea and sugar would have been more advantageous to the country and to the revenue than the abolition of the excise on paper. Nearly the whole of the relief afforded would have been given to the ultimate consumers, who, in this instance, are identical with the whole community. Wholesale and retail traders would have profited rather by the increased magnitude of their transactions than by any opportunity of intercepting the concession of Parliament. Paper, on the contrary, as compared with any other taxed commodity, will, even if raw material can be procured, be but imperceptibly cheapened by the removal of the duty. The penny papers will receive a large addition to their profits or a diminution of their losses, publishers will gain considerably in the cost price of their productions, and retail tradesmen will effect a large saving in packing paper, in card-board, and in similar articles. The private consumption of paper will not be perceptibly affected, for a ream of letter paper will scarcely be altered in price, and no grocer will sell a pound of sugar cheaper because he has wrapped it up in un-taxed paper. The precedent of bricks, glass, and soap is altogether inapplicable. Those commodities are consumed in quantities which render the percentage of the tax perceptible to all builders or occupiers of houses, and it may be added that clay, sand, and tallow are raw materials which may be obtained to an unlimited amount. The excise on paper is undoubtedly an annoyance and impediment to the manufacture; but there is reason to believe that no impost of the kind has done so little mischief. The resolution against the duty which was formerly carried in the House of Commons is utterly worthless as an expression of financial opinion. Mr. DISRAELI was at the time conducting the Government in the face of a hostile majority, and he would have acquiesced in an abstract condemnation of all the direct and indirect taxes in preference to suffering a Parliamentary defeat. It is unfortunate that Mr. GLADSTONE should have last year been induced, by his recent allies, to undertake the repeal of a tax which is by no means the worst on the list.

It is not equally certain that, under existing circumstances, it was not politically prudent to give paper the preference over taxed commodities of more universal consumption. Mr. GLADSTONE's assailants remark, not unjustly, that he was primarily responsible for the awkward collision between the two Houses of Parliament; but as the embarrassment has actually arisen, there is but one way to remove it, and the author of the difficulty is perhaps the most suitable peacemaker. The House of Lords claimed, and partially established, a right to forbid the repeal of taxes when their produce is necessary to the equilibrium of the national accounts. The irritation which was caused by the success of the experiment will be most effectually calmed by the removal of the subject-matter of dispute. The Lords will certainly not be rash enough to pursue their victory by interfering with a Budget ostensibly balanced, should it have passed the House of Commons without an important division. The country acquiesced in even an irregular affirmation of the doctrine that solvency was better than penny papers; but the proposition that the tax on tea is worse than taxes upon knowledge, though it may be equally true, is not equally conclusive. The Opposition would derive little support from the friends of sound and impartial taxation in a resistance to the Budget which would be universally regarded as a party movement. If a majority were to place Mr. DISRAELI in office, he would immediately bid for the support of Mr. BRIGHT by proposing the very measure which he had prevented his predecessors from carrying. It would not be worth while to effect a change of Ministry for the purpose of arriving at the same result which will now be attained in the natural course of events.

On the whole, the Paper-duty is irrevocably doomed; and it is desirable to make the best of a change which, regarded in itself, is undoubtedly desirable.

The doubtful character of Mr. GLADSTONE's surplus has been sufficiently exposed. Many Chancellors of the Exchequer would have taken the opportunity of refraining from any fiscal change of importance. The uncertainty of the China receipts and the certainty of the Exchequer Bond liability would have served as a sufficient excuse or reason for refusing any relief from taxation. The reasons for repealing the Paper-duty were exceptional, and the diminution in the Income-tax is generally understood to be an equivalent for the unpalatable concession to the penny press. It fortunately happens that Mr. GLADSTONE, for once, has hardly been too sanguine in his expectations. The importation of wheat, which will continue till the next harvest, will produce a considerable sum, and the vast quantities of wine in bond will, to some extent, force themselves into consumption. If the Customs undergo no considerable loss, there will probably be an increase of at least a million on the estimated amount of excise. The Hop-duty will come in, malt liquor will once more be consumed, and even spirits will probably bear the increase of duty better in the second year than the first. Mr. BARING has exposed the fallacy of supposing that superfluous Sundays or Good Fridays are especially injurious to the revenue. Tea is made and beer is drunk on Sunday, although it may possibly have been laid in during the course of the previous week. Even Good Friday is, it may be feared, among the bulk of the population, not kept as a rigid Ramadan. There is no reason to attach any special importance to the fact that the year 1861 will only present an average number of fasts and festivals.

Sir STAFFORD NORTHCOTE, and other members of the Opposition, have tried in vain to prove, on Mr. GLADSTONE's principles, that there was really a deficit of 7,000,000*l.* or 8,000,000*l.* Personal arguments from consistency are only useful for purposes of annoyance, and it is idle to insist on the repetition of an exaggerated figure of speech. The Budget of 1860 was adorned with an imaginary deficiency to the amount of the taxes which would have expired if the House of Commons had not gone through the inevitable form of renewing them. It pleased the CHANCELLOR OF THE EXCHEQUER to assume that the Income-tax had suddenly disappeared, until, on the waving of his wand, it returned with increased magnitude. Even the tea and sugar duties were, for rhetorical purposes, supposed to have vanished, that on reproduction they might seem to be new, or as good as new. On the same theory, the Income-tax might again have been conjured out of existence in the present year; but Mr. GLADSTONE is too ingenious to reproduce his own exhausted fancies. The balance of 1861 was an intelligible comparison of available receipts with probable outlay. The question whether the Income-tax technically expired on the 5th of April would have been uninteresting to the House of Commons because the implied inference is absurd, and it would have been unattractive to Mr. GLADSTONE because it is now hackneyed and stale.

Mr. BARING reminded the House of Commons that while the repeal of the Paper-duty is irrevocable, the tenth penny of Income-tax may at any moment be reimposed. It is true that there is a dangerous simplicity about direct taxation, but Parliament itself will oppose serious obstacles to any hasty proposal of an increase. It is generally felt that a fiscal resource may be too convenient and easy, and there is a strong indisposition to derange any further the proportion between the Income-tax and the duties on consumption. It would be desirable to return as soon as possible to the normal sum of 7*d.*, which lasted from Sir ROBERT PEEL's first Income-tax Bill in 1842 to the commencement of the Russian war. Perhaps 6*d.*, or 2½ per cent. on the income, would be the best amount of a permanent tax. It is not impossible that judicious economy of administration, combined with the natural expansion of trade, may in three or four years allow of a removal of one-third of the tax, as well as of a large reduction on tea and sugar. In the mean time Mr. GLADSTONE will do well to discontinue his repeated taunts against a nation which chooses to be independent of the caprices of a powerful neighbour. The country is perfectly capable of paying its own necessary expenses, and it is for Chancellors of the Exchequer to find the means for the expenditure, and not to render taxation oppressive by constantly hinting that it is extravagant.

## WILLS OF BRITISH SUBJECTS ABROAD.

A VERY strange Bill has been introduced into the House of Lords by a distinguished lawyer, and backed up in the *Times* by an argument which is even more startling than the Bill itself. The object of this proposed legislation is most laudable, being neither more nor less than the removal of the legal difficulties which so often defeat the intentions of English testators who settle themselves and die in foreign countries. The Bill is nearly a reproduction, so far as we remember, of one which was brought forward by Sir FITZROY KELLY to amend the law under which a client of his had suffered in a rather famous case of *BREMER v. FREEMAN*, which was decided by the Privy Council. The circumstances of that case will show, better than any general statement, the sort of complications with which Lord KINGSDOWN has attempted to deal.

General CALCRAFT was an officer in the East India Company's service. His daughter, FANNY CALCRAFT, was born in India in 1795. Her father brought her to England in 1805, where they resided until 1825. Being then arrived at years of discretion, Miss CALCRAFT went abroad and travelled in Italy until 1838, when, her father being dead, she settled with her sister in Paris, where she remained until her death in 1853. In the year 1842 Miss CALCRAFT, who then bore the name of Madame ALLEGRI (having, as was supposed, though not proved, been married to an Italian of that name), made a will in the English form, which would have been invalid in form and substance according to the testamentary law of France. The sole question in the cause was whether English or French law ought to determine on the validity of the will and the distribution of the deceased lady's estate. Both countries had a sort of claim to the jurisdiction. By origin and allegiance Madame ALLEGRI was English, or, what for this purpose was the same thing, Anglo-Indian. By her own choice she had abandoned her English home nearly thirty years before her death, and had become, as far as settled residence or domicile (to use the technical term) could make her so, subject to the laws of France.

Cases of this kind would furnish almost infinite occasion for unseemly contests between the courts of rival nations, if some sort of agreement were not come to as to the law which should be allowed to prevail. It is of secondary importance what the terms of such international compacts should be—the essential thing being, first, that both the countries concerned should recognise the same law; secondly, that that law should be plain, so that testators may not have been trapped by its uncertainty into making invalid wills. By a gradual and painful process of constant litigation, certain heads of agreement have been established which are recognised as the law of nations by most civilized States. One of these rules is, that the place where a person has his home or domicile at death shall furnish the law which is to determine the extent to which he is at liberty to bequeath his personal property by will—the meaning of any will which he may execute—the forms by which the genuineness of the instrument is to be secured—and the manner in which undisposed-of property is to be disposed of at death. Whether this is or is not the best rule that could have been selected may be questioned, but its great recommendation is, that it is almost universally accepted, and that it does in general prevent a scramble for property between the courts of different nations. A will held good in England is in general, on the same principles, held good in France; and the very essence of the judgment in *BREMER v. FREEMAN* was, that the case ought to be governed by the universal law of nations, and that the will was bad, because that law pronounced that the Code Napoleon should take cognizance of it instead of the English Statute of Wills. If this settled rule of law is to be changed, it ought to be changed by the mutual consent of all nations which have tacitly agreed to adopt it; and if England makes one rule, France another, and Germany a third, the inevitable consequence will be that the different courts will act in defiance of each other, and the property will go to this or that person according as one or another court may be the first to lay its hands upon it.

Lord KINGSDOWN thinks the existing law of nations so bad that he is prepared to alter it (so far as English courts are concerned), and to face all the conflict and confusion which such a partial repudiation of accepted principles must introduce. The law of nations rests on no formal compact, and exists only through the forbearance or comity of different courts which have recognised the supreme necessity

of having some common principles by which to unloose the tangled knots that people of nomadic habits are always tying for the embarrassment of courts of justice. The real question now pending is, whether this forbearance, which has been practised for centuries, is to cease once for all—whether, in short, England is to assume the right to repudiate any part of the law of nations, without even the form of consulting the views of foreign nations. To do so would be to declare a sort of internece legal war, and this without any previous attempt to come to an amicable arrangement as to the reform which England desires to introduce into the common code. A few years ago, some of the doctrines of public international law, as affecting the rights of neutrals, were modified and settled by the Treaty of Paris. A joint agreement on the analogous rules of private international law would be even more valuable and more easy of negotiation. As sovereign States, there is nothing in the position of any of the countries of Europe to make them jealous partisans of one or another system. All must desire to have a universally acknowledged rule in such matters which shall prevent conflicts of jurisdiction, and decide on private rights in accordance with justice and convenience. A conference on such matters would very possibly lead to satisfactory results; but whether it would do so or not, it is far better to have a recognised law not unreasonable in itself, though possibly not the best which could be selected, than for one country to insist on one rule, while another is equally active in enforcing a contrary one. It is clearly not worth while for England to withdraw her long-continued assent to the existing code, even though she may be able to suggest alterations which, if universally accepted, would be improvements upon it.

That the law of nations admits of much improvement we are inclined to agree with Lord KINGSDOWN; but it is not so easy as some persons apparently suppose to say what would be the most convenient rule as regards testamentary dispositions. The existing rule, which adopts the home at death as the place which is to supply the governing law, both as to the form and substance of a will, is attended with some serious inconveniences. A man often does not know where his home is, still less where it will be when he dies. The LORD CHANCELLOR said the other day that he had not the least notion whether his own home was in England or Scotland. In Madame ALLEGRI's case, there was not much difficulty in saying that the home of her choice was that in which she had lived during the last fifteen or twenty years of her life; but a new difficulty was started there, because it was said (though the evidence failed to prove it) that whatever her wish might have been, she had never got herself recognised as a settled resident in France, and that this formal authorization was considered by the law of France essential to the acquisition of a testamentary domicile in that country. These difficulties may be got over by adopting some different rule, but even then new difficulties arise. If we say that the law of allegiance shall govern, and that British subjects everywhere shall enjoy the rights given by British law, we find just as much difficulty in coming to any common understanding with other nations as to where a man's allegiance is due. Suppose a person born in France of an English father and an American mother, of which country is he to be considered a subject, for the purpose of adjusting his private rights and powers? Again, take the case of an Englishman who has become a citizen of the United States. Both countries claim him as a subject, and would under such a rule fight to the death for the spoils of his estate. To say (as was attempted in the analogous case of marriage) that the validity of a transaction should depend simply on the law of the place where it occurs—where the will is signed, or the marriage celebrated, would be to give every one the power of repudiating the trammels of the law of his own country, and adopting the repugnant rules of any foreign law. The House of Lords has just solemnly decided that in the case of marriage this shall not be done, and that a person who belongs by domicile to this country cannot contract a valid marriage with his deceased wife's sister by taking a trip to Denmark; and in so deciding it has acted consistently with the settled law of nations. Lord KINGSDOWN, it is true, does not attempt to grapple with the whole subject, and confines his Bill for the most part to the mere forms of execution without touching the substantial validity of a will. His plan is to give a testator the option of three ways of making a good will—by following the law of the place where he signs it, by following the law of the place where he has

his home at death, or by following the law of his allegiance. If this change were assented to by all nations, it might possibly be beneficial; but on no other condition can it lead to anything but hopeless confusion and conflict. Even with such consent the clauses of the Bill would need much revision to get rid of patent contradictions. But our objection goes much deeper than this.

If the Bill is mischievous, the advocacy of the *Times* is infinitely more so. After its fashion, the leading journal sets to work to popularize the subject in an article in which it is assumed that the whole law of domicile is a perversity which Lord KINGSDOWN intends to do away with. No one, probably, would dissent from this preposterous statement more heartily than the author of the Bill which has received so extraordinary a commendation. Lord KINGSDOWN does not, as the *Times* imagines, pretend to set persons who have made France their home free from the restrictions which prevail in that country as to the distribution of property at death. It would be monstrous to do so, and certainly we could not expect the French tribunals to regard such legislation. The "Domicile-hunting" which the *Times* treats with so much contempt would be as necessary as ever to determine the meaning and validity of a will, though Lord KINGSDOWN should succeed in establishing a new rule as to the form of execution. These supposed advantages of the measure are not among the objects which Lord KINGSDOWN has proposed to himself; and the sole question is whether it is advisable for England to depart from the law of nations at the cost of far more conflict and uncertainty than the Bill would remedy, for the sake of preventing a miscarriage in one will, and producing twenty in as many others.

#### ITALIAN AFFAIRS.

**I**F the debate on Italy in the House of Lords had been postponed for a few days, Lord CLARENDON and Lord DERBY might have discovered fresh reasons for regretting the establishment of a united monarchy. The first meeting of the national Parliament has not altogether passed off smoothly; and CAVOUR, CIALDINI, and GARIBALDI have addressed to one another such language as men rarely forget. It is said, however, that a general reconciliation has since been effected; and the nobleness of GARIBALDI's nature renders it possible that he may have forgiven even the objects of his own unjust hostility. In the mean time, the hopes of the enemies of Italy have been revived by the reciprocal taunts of the volunteer chief, of the most famous general of the regular army, and of the statesman whose genius controls them both. It is not for foreigners to enter into details respecting the generosity or justice which the Minister has displayed to the dislodged troops of the South. There was great difficulty in recognizing their services without grievous injustice to the professional officers who have devoted their lives to arms, although they had no share in the conquest of Sicily. Demagogues and sycophants of absolute power concur in the habit of discussing public questions chiefly in relation to personal interests; for a certain extent of constitutional liberty is required to admit the proposition that law and regular procedure are incomparably more indispensable than fine sympathies, or even than unerring decisions. Count CAVOUR may possibly have examined too closely the pretensions of adventurers who, although they may since have exaggerated their own exploits, have chiefly contributed to the establishment of Italian unity; but in resolving to crush at once the project of a permanent volunteer army the Minister proved his sound judgment both of the immediate crisis and of the conditions of free and independent government. The recent conduct of GARIBALDI, though it has probably been adopted in perfect good faith, shows for the hundredth time the danger of military success achieved by an irresponsible leader. The ill-judged claim of equality with the KING, the contumely heaped upon the Parliament—even the affectation, which CIALDINI justly denounces, of entering the Chamber in a theatrical costume—would point, in the case of any ordinary soldier, to projects of usurpation and tyranny. The military leader who assumes to be a power in the State shows, by indifference to the rules of good breeding, that he already considers himself as above the law. GARIBALDI has fought to constitute a free and constitutional nation, and yet he has not patience to acquiesce in the supremacy of a representative Assembly. His constant references to the act by which Count CAVOUR deprived him, as he says, of his birthplace, although the

complaint may at first have been natural and excusable, begin to indicate presumptuous egotism. Even if a worse wrong had been suffered by the greatest of Italians, there is no reason why public policy should be warped by a consideration of individual resentments. It was, after all, a greater misfortune that Nice was torn from Italy than that GARIBALDI's feelings were outraged. PISISTRATUS long since had personal wrongs to complain of, and DION presumed too far on the services which he had rendered to Sicily.

The violent language used in the Parliament of Turin can only excite regret; but it is possible that CIALDINI's plain-spoken and angry remonstrance may have brought conviction home to the mind of the heroic offender. The sensitiveness of the regular army to the disrespectful language of the volunteer chief may also have produced a salutary impression on the mind of a soldier. GARIBALDI has also refinement enough to feel that the caprice of taking his seat in a red shirt was scarcely respectful to a sovereign Assembly, or worthy of the good taste of a gentleman. It is easy to profess equality with workmen and peasants who are ready to worship their condescending associate. It is among rivals and independent colleagues that it is really meritorious for a great man to lay aside individual pretensions.

It is satisfactory to find that, in the midst of difficulties, and in defiance of opposition, Count CAVOUR retains his usual command over the Parliament. Prudent men accept his declarations, and they at the same time understand that it is necessary to read between the lines of his speeches. His promises of maintaining peace to the best of his ability have been generally approved. His adulatory language towards France, though it is not calculated to gratify English tastes, represents both an intelligible policy and a belief which is strangely prevalent in Italy. It may be doubted whether unbounded reliance on the good-will of the Emperor NAPOLEON is well founded, but there can be no doubt that it is entertained by many Italian patriots, and even when it is not sincere, it may be thought politic to profess it. It is for the present impossible to obtain Rome without the consent of France, and, as it is obviously imprudent to attack Austria, pacific moderation may as well be explained by a reference to the remonstrances of England. If Hungary were to rise in arms, it would soon be found that Lord JOHN RUSSELL's decorous appeals were forgotten in the tempting opportunity of revenge and conquest. Any sagacious statesman would adopt the system of Count CAVOUR, but the triumph of eloquence and ability is shown in persuading an impatient nation to accept a policy of prudent inaction.

It is much to be wished that the English Parliament would abstain from discussions on Italy which give unnecessary offence and misrepresent the real opinion of the country. When the subject was brought forward last week in the House of Lords, even Lord ELLENBOROUGH's stately eloquence and generous sympathy with the Italian cause were marred by ill-timed professions of anxiety for the safety of Austria. There is no reason why Englishmen who rejoice in the establishment of Italian independence should protest against the vindication of Hungarian rights. As TOCQUEVILLE complained, it is a national propensity to judge of right and wrong with an exclusive reference to the supposed interests of England. The Hungarians cannot be expected to surrender rights which have been enjoyed for centuries merely that Austria may maintain the balance of power against France. Lord ELLENBOROUGH, however, proved that in Italian questions at least he was capable of an enlarged comprehension of European interests. Lord CLARENDON was ill able to conceal his repugnance to the changes which have so rudely interrupted the traditions of diplomacy; and Lord DERBY outdid himself in feebleness and confusion of judgment and in gratuitous imprudence of language. It is monstrous that a great party leader and expectant Minister should extemporize in his place in Parliament the doctrine that England is vitally interested in the independence of the POPE. No Ultramontane Bishop in France or Ireland has exceeded in extravagance Lord DERBY's declaration that the Emperor NAPOLEON is bound in honour and duty to prolong to an indefinite period the occupation of Rome. The wanton repetition of Lord JOHN RUSSELL's unmeaning theory that duality would for Italy be preferable to unity, was only less absurd because it was less practically mischievous. On precisely similar grounds it might be argued that England would be safer and happier if Scotland were, as in ancient times, a petty and separate kingdom, politically dependent upon France. Count CAVOUR

might well remind his Parliament that the present English Ministers represented the party which is most friendly to Italy. He is perhaps scarcely aware that Lord DERBY and Lord CLARENCE express opinions which are only entertained by a few timid and retrograde politicians in the highest classes of society. The mob is often accidentally in the right, because it always wishes to be generous, while aristocratic fastidiousness not unfrequently tends to obstinate persistence in error. Lord NORMANBY, who lately moved for election returns showing the constitution of the Assembly at Turin, is only a caricatured specimen of the politicians who indulge their antipathy to innovation in exclusive coteries. The language which is used in the House of Lords is not vitally important to the cause of Italy, but it tends to the discredit of England, and it causes useless offence. Lord DERBY probably intended to canvass for Irish votes when he vindicated the temporal power of the POPE, but a more skilful tactician would understand that it is not prudent to raise the only question in which the opinions and policy of the Government are universally popular.

#### BLUE BOTTLES.

THE Sheffield Foreign Affairs Committee have formally protested against the deposition of the King of NAPLES, by the mouth of their Chairman, Mr. ISAAC IRONSIDE, whose name and proceedings recall to us at once the cheerful simplicity of the patriarch and the nasal intolerance of the Puritan. The solemn and important question immediately arises—Who are the Sheffield Foreign Affairs Committee? Their title implies that they are a body whose duty it is to interfere in other people's business. But is it the foreign affairs of Sheffield, or the foreign affairs of the nation, or the foreign affairs of the universe, that they feel called on to direct? It is difficult to determine with any degree of certainty. A kind of uneasy and undefined sensation warns us, however, that somewhere or other, either in a previous state of existence or else in the pages of some penny paper, we have come across this respectable society before. Perhaps it may be safe to assume that they are a grand and all-powerful conclave who sit permanently at Sheffield to keep their eye upon the British Parliament and the Ministry. Can it be that the public enjoys the protection of a council of the kind? It is a happy thing for Englishmen to learn that they live in a country whose affairs are looked after by a patriotic and public-spirited body like this. The notoriety it has lately acquired is a little moral lesson to teach us that the world cannot for ever continue to know nothing of its greatest men. Unpaid, unnoticed, and unheeded, the Sheffield Foreign Affairs Committee had gone on, it may be week after week, or possibly day after day, minding the business of an ungrateful nation. At last they have been rewarded. Their name has escaped from the congenial atmosphere of the cheap press, and filtered through into the columns of the *Times*. From this day forth England is aware of their existence, and has heard of, even if she is not enthusiastically interested in, these respectable busybodies.

The bluebottle order of politician is one which is tolerably innocuous, even if it is occasionally a little offensive. Simultaneously with the manifesto of the Sheffield diplomats, we read this week of the return of another set of unpaid bluebottles from France. The Peace Society, it seems, have been performing one of those missionary trips to Paris, which are so extremely harmless and so entirely useless. This kind of quietly officious interference in the political affairs of their country is a pleasant and inexpensive recreation for the town councillors, the retired merchants, and other municipal celebrities of our large provincial cities. They feel that local notoriety is quite insufficient to satisfy the yearnings for fame and European activity which swell the breasts of the most majestic members of every corporation. ALEXANDER the Coppersmith sighs for new worlds to conquer quite as keenly as ALEXANDER the King. He has been, it may be, churchwarden of his parish and chairman of his guild—he has worn a gold chain or been preceded by a mace—and he is resolved that his name shall not always be restricted to the pages of the local *Watchman* or the "births, deaths, and marriages" column of the *Times*. Accordingly, he sits down and composes a letter to the Emperor of the FRENCH, or a protest to the Emperor of RUSSIA, or a despatch to FRANCIS JOSEPH touching the affairs of Hungary. He joins a Great Central Administrative Reform Association, or a Foreign Affairs League, or a

European Liberation Society, and devotes his energies to the welfare of his fellow-men; nor does he even wait to learn their language, so eager is he for the glory of doing them good. There are a number of these illustrious and active politicians at work around us, of whose mysterious projects nothing is known, except perhaps to the readers of the *Morning Star*. With Argus eyes they protect the interests of England night and day, and watch against the intrigues of Ministerial traitors, of foreign tyrants, and of the educated classes. Like guardian angels—whose work, it is true, is done more silently—millions of middle-aged bluebottles walk the earth—

Unseen, both when we wake and when we sleep.

The origin of bluebottles, perhaps, may be traced to those useful societies of the nature of the Anti-Corn-law League, which, in their time, did a great work. The days, however, when local agitation was brought with some success to bear on the Legislature are past. But the race of bluebottles have not died out. On the contrary, they are increasing in number and in noise. The march of what is called mind has quickened them into political liveliness, as a summer's sun sets full-bodied flies in motion. The great object of every bluebottle is to be allowed, some day or other, to buzz in a monarch's ear. He becomes weary of signing petitions to Parliament, of heading deputations to Cabinet Ministers, and of writing manifestoes to those organs of the press whose mission it is to represent noise, ignorance, and insignificance. His soul is weary of parish business. Nothing will satisfy him except a correspondence with a crowned head. He feels that even a word with the dethroned King of NAPLES would be better than nothing. It is in this frame of mind that the Sheffield Foreign Affairs Committee have published a remarkable and rather illiterate document, which they are pleased to call a protest. A strong sense of duty induces them to forward the thing to Lord JOHN RUSSELL, to the Marquis d'AZEGLIO, and to the King of NAPLES—thus killing (so to speak), with one and the same stone, a Minister, an Ambassador, and an ex-King.

The ability of the document is on a par with the distinction of those who issue it. When aldermen, retired lieutenants of the navy, town councillors, vestrymen, or churchwardens, stray from the fat and quiet paddocks of municipal or parish life into the high-road of public print, we too often find that they are, in the words of the poet, both—

Sublimely foolish, and profoundly dull.

Wisdom is not so strongly marked a feature in bluebottles as their untiring powers of "buzz." If Mr. ISAAC IRONSIDE is the author of the remarkable production which bears his name, he is evidently a bluebottle of the very bluest description. Had he been Lord ROBERT MONTAGU himself, he could scarcely have written anything more ridiculous. The Sheffield Foreign Affairs Committee disapprove of the freedom of Italy, because they consider that VICTOR EMMANUEL has removed his neighbour's landmark. For a set of respectable bluebottles who, in the same breath, hint that they have individually given their adhesion, in 1849, to the Hungarian revolution, this is pretty well. It really would seem as if the temporary fit of lunacy with which it has pleased the gods to afflict Mr. ROEBUCK had been communicated by him to his constituency. If these are the politics of Sheffield, we had better return to the days of CANNING, when knife-grinders were not in the very least inclined to dabble in politics at all. Mr. ISAAC IRONSIDE, borrowing both his political opinions and his phraseology from the Old Testament, seems to imagine that Naples belongs to FRANCIS II. in much the same way as NABOTH's vineyard belonged to NABOTH. VICTOR EMMANUEL is AHAB, and he has taken away his neighbour's garden. In such a light do the wiseacres of the Foreign Affairs Committee, and their intelligent Chairman, read the contemporary history of Italy. "The Committee enter their strong protest against 'the acts of Lord JOHN RUSSELL. It is written, 'Cursed is he that removeth his neighbour's landmark.' VICTOR EMMANUEL has committed this crime, and the Committee protest against being made his accomplices."

It will be a consolation for FRANCIS II. amid his troubles to know that Mr. ISAAC IRONSIDE refuses to be the accomplice of Count CAVOUR and the people of Italy. Never, except on the occasions when CESAR declined a crown and Mr. WILLIAMS, M.P., a coronet, has there been such a triumph of political magnanimity. Will Italy survive the unlooked-for blow? Will the protest of the Sheffield Foreign Affairs Committee be telegraphed to GARIBALDI? It would be a

great thing for them, as well as for MR. ISAAC IRONSIDE, if they could succeed in being the cause of a panic on some Exchange in the world before they died. But alas! nobody minds a bluebottle. Bluebottles never achieve immortality. They flap in the window-pane for an hour, and then they go hence and are no more seen. Happy is the bluebottle, like MR. ISAAC IRONSIDE, who succeeds in attracting the notice of a London journal. More he can hardly desire, more he certainly does not deserve. When the Marquis d'AZEGLIO reads the eloquent composition of the quid nuncs of Sheffield, he will know that it represents, not the feelings of a nation, but the ignorance and folly of an obscure local clique, whose names are unknown even to their own countrymen. It is not of much consequence to Italy whether MR. ISAAC IRONSIDE declines to take her part or no—

Nobody asks you, sir, she says.

No importance at all can be attached to the views either of this gentleman or of his Committee. It is difficult, indeed, to think of them without recalling the story of Lord PALMERSTON and the Southampton deputation. Between "local thinkers" and "local tinkers" there is, after all, but the difference of an aspirate; and aspirates, as all free and independent local politicians know, are not of much importance.

#### THE WIMBLEDON MEETING.

**I**T is a strong testimony to the success of the first Prize Meeting of the National Rifle Association that it has been found necessary to introduce very few variations into the programme of the present year. The most striking, and to ambitious riflemen the most attractive, difference is in the amount of the prizes offered for competition. The Association promises 865*l.* in place of 305*l.* which it gave last year, besides the twenty WHITWORTH rifles, valued at 500*l.* The prizes given by Her MAJESTY and the members of the Royal Family will add 500*l.* to the fund, and if the example of last year is followed, the competitors may look for a further supply of rifles and other prizes from the contributions of private members of the Association. Altogether there will be about 2000*l.* at stake (not to mention the Rifle Derby) in place of little more than half the amount which rewarded the best shots at the first gathering. This is very satisfactory evidence of progress on the part of the Association, and the value of the prizes will be further enhanced in the eyes of most Volunteers by the opportunity of taking them in the tangible form of a cup or piece of plate, which to many will be far more attractive than a purse full of sovereigns. Those who may prefer current coin as the form of their reward will at the same time have the option of indulging their taste. The conditions of the different contests remain almost without alteration. There are prizes for all comers, to be shot for with any kind of rifle, provided that it have neither a hair-trigger nor a magnifying sight. For the sake of short-sighted competitors, it is kindly added that the use of spectacles will not be considered a violation of this regulation. Then there are special prizes for breech-loading rifles, for short-range shooting, and for long-range shooting—prizes restricted to the winners in local competitions—and a grand Rifle Derby, open to all the world, at 2*l.* entrance, with the usual conditions of half forfeit. But all these are the extras—the great subject of interest being, as before, the QUEEN'S Cup of 25*l.*, with twenty WHITWORTH rifles, to be competed for by Volunteers alone.

Some little controversy has arisen as to the expediency of adhering to the regulations of last year with respect to the weapons to be used in this contest, and the Association give at some length the reasons which have governed their determination. It was plausibly enough urged that the long Enfield had become the Volunteers' weapon, and that the men ought to compete with the rifle to which they are all equally accustomed. This is so far admitted by the Association, that the preliminary shooting, up to 600 yards, by the results of which the first 40 shots are to be selected for the final heat, is to be with the long Enfield alone. The reason assigned for deciding the final competition with the WHITWORTH rifle seems unanswerable. No rifle of so large a bore as the Enfield has yet been manufactured which is capable of doing justice to good shooting at ranges of from 700 to 1000 yards. The essence of all rifle practice is long-range shooting. It is the immense sweep of the weapon which gives the rifleman his chief advantage, and the eye and the hand are far better tested by a contest at 1000 yards than by picking out the closest shots at comparatively easy ranges. One of two things had to be surrendered—the long range or

the Enfield rifle; and the Association have, we think, done wisely in adhering to their rule, that the practice beyond 700 yards shall be with the best small-bore rifle which they have been able to secure. By this means a large element of chance, which would have been introduced by the imperfection of the Government arm, will be eliminated from the contest, but at the same time a certain amount of unfairness will remain which might perhaps be got rid of also. Not one Volunteer in a hundred has ever handled a WHITWORTH rifle, and it is obvious that those who have been in the constant habit of using this description of arm will have a great advantage over others who may take it up for the first time in their lives on the eve of the competition which is to determine the winner of the Rifleman's Blue Ribbon. An interval of a few days between the selection of "the forty" and the final trial would, in a great degree, remedy this inequality, and would also get rid of another difficulty which seriously detracted from the fairness of last year's contest. The rifles used on that occasion had not been sighted at all, and it was quite a matter of accident where the first shot at each range would strike. Those who were lucky enough to score at the first round got an immense start of their rivals, some of whom wasted almost the whole of their allotted ammunition before they discovered how their rifles should be sighted.

To a certain extent, the art of getting a rifle sighted with the smallest possible expenditure of shots is a matter of skill, though largely mixed with chance; but it is not the special skill which it is very material for a Volunteer to acquire. On actual service he would shoot with his own weapon, the sights of which he had tested over and over again; and it is only by placing the competitors as nearly as possible in this position that a fair fight for the great prize can be ensured. It is promised, indeed, that the rifles shall be accurately sighted beforehand; and it is hoped that a day may be allowed for previous practice. Probably some difficulty about prolonging the meeting may be the real reason for this arrangement; but the holder of the QUEEN'S Cup ought not only to be, but to be universally acknowledged to be, the fair winner of the honour. This will not be the case unless the competitors are allowed ample time to sight their own rifles for themselves. The sight which is true for one man may be quite false for another; and it is earnestly to be hoped that no obstacle will be allowed to prevent the fullest opportunity being given to all to place themselves on equal terms of familiarity with their weapon, and to learn by their own experience how to make the most of its capabilities.

Is it impossible for a few days to be won for this purpose from the reluctant inhabitants of Wimbledon? If so, there is nothing for it but to submit. But the Council of the Association may be quite sure that nothing short of impossibility will, in the eyes of the Volunteers, justify the neglect of this apparently trifling, but really vital, condition of fairness. While discussing details, we ought to mention a change (not for the better) in the terms of competition. The shooting from the shoulder is to be at 200 instead of 300 yards. Whether this is in consequence of the bad practice which the Volunteers made at the longer range we cannot say; but certainly the 200 yard range affords a much less decisive test of a rifleman's powers than the longer distance which was adopted last year. If the performances of the competitors should show an improvement, they may perhaps be promoted at a future occasion to the honour of shooting at the old range. Notwithstanding the minuteness of the regulations, which condescend even to give a special indulgence to the wearers of spectacles, there seem to be some matters still left open to doubt which ought to be made quite clear before the 1st of July. A Captain JAQUES, for instance, adroitly advertises in the *Times* a patent invention of his own, which he calls a sight guard and regulator, as admissible in the contests of the National Association. If shaded or adjustable sights are considered to be part of a rifle of *bond fide* Government pattern, Volunteers ought to be duly informed of this relaxation of the old strictness of the Council; and, if not, competitors should be warned against infringing the rules of the contest in this or other similar particulars. Those who have undertaken to regulate the Annual Rifle Meetings must be as careful as the Jockey Club itself in excluding every possible element of uncertainty or inequality. The Rifle Derby is a small affair in point of money when compared with its Epsom prototype, but the prize will not be contested with the less eagerness because the skill and nerve of a man are on trial instead of the speed and bottom of a horse.

## PARLIAMENT AND THE PRESS.

**W**HATEVER else Mr. Wingrove Cooke's candidature for Marylebone may have done, it at least showed how great are the difficulties which beset a newspaper writer who tries to get into Parliament. Mr. Cooke was allowed on all hands to have greatly distinguished himself by his writings, and to have shown himself by those he had published to be a man of sense, good judgment, and excellent education. Somehow a literary reputation of this sort seems to be considered as at once entitling its owner to stand for a borough and as dooming him to failure. No one could put Mr. Cooke on the level of Mr. Twelvetrees and pretend to wonder what he meant by his impudence in contesting Marylebone. But, on the other hand, Mr. Cooke's connexion with the *Times* was constantly thrown in his teeth, and he was familiarly spoken of by the mob as a nominee of that journal, whatever that may have meant. The press, in short, leads its highest and most successful followers to the threshold of public life, but it often does not help, and, on the contrary, rather regards them if they try to pass the threshold. It is, however, to be remarked, that this is true of no other country possessing free institutions and a free press except England. In Austria at this moment the few public writers who have shown that they can satisfy the easy standard of what passes in Germany for brilliant and instructive writing are snapped up with the utmost eagerness by rival constituencies. The press is abundantly represented in the chambers of Turin and Berlin, and in the United States not only is a good public writer on his way to a seat in the local and federal assemblies, but he has a claim even on diplomatic honours. President Lincoln has just been called on to send a new set of representatives to the European Courts, and, among the number, he has selected a handsome proportion of those who supported the Republican party in the most respectable or most active papers. Under the Monarchy of July, to write smartly, punctily, and with a happy air of profound knowledge and general superiority, paved the way to every kind of advancement, and it was one of the favourite solutions of the difficulties of a comedy that the hero should be discovered to have written an article so uncommonly clever as to make it clear that in a year or two he must be a peer of France, so that there could be no imprudence in his marrying as soon as he liked. But there is nothing of this in England, although the influence of the press is as great here as in any country. It is natural to inquire the reason of a difference that at first sight seems so remarkable.

There can be no doubt that one of the chief reasons that practically operate to produce this result is that people in England do not much relish cleverness. They do not like a man to come before them and claim their suffrages, or anything else they have to give, on the ground that he is wiser or knows more, or is in any way more capable than they are. There is some meanness in this, and much of the vulgar love of money which marks all English society except the highest. The position accorded on the Continent to intellectual eminence, and the comparative indifference with which the poverty of eminent men is regarded abroad, at once show a superiority in taste and feeling, and go far to produce that liveliness and ease in Continental society which are apt to be wanting here. But if there is some meanness and vulgarity in the feeling there is some sense too. We escape a considerable amount of pedantry, and also of jealousy and rivalry, by our putting property above ability. It is hard to say who is the cleverest man among many who are clever, but it is easy to say who is the richest, and among men with some pretensions to reputation it is not inconvenient to have precedence in some measure settled by an external standard. We do not, indeed, go so far in England as to say that the richest man is always to be preferred above the man who is second in riches, but we agree to cut off among clever men the large number who are not rich, and to say that they had better not aspire to public stations. This is especially evident at the Universities. These bodies are supposed to represent the learning of the country; and if so, it might seem natural that they would return the men who would represent their learning most fully and satisfactorily. But they do not think of doing anything of the sort. They always insist that a University member shall either be a man of rank, or wealth, or of eminence at the Bar. This at least prevents the jealousy and irritation which would ensue if they honestly set themselves to find out and return to Parliament those of their members best qualified to represent the interests of learning. Supposing, when Mr. Gladstone retires—if South Lancashire is really to take away from Oxford the only Englishman who feels a personal interest in the character of Helen—the University determined to send in his stead the most learned, able, and eloquent of its members. The debates and discussions would be infinite. No one man stands out in a manner sufficiently conspicuous to command general support, nor, except by the rarest accident, could there be such a man. But if all candidates are set aside except those who are of high rank, or of large fortune, or who are very successful lawyers, the bulk of the electors are made easy, and have no personal jealousies to distract them from considering who will best suit their purpose. Other constituencies come to the same conclusion, only in a rather different way. They feel, although generally in an indistinct and unconscious manner, that the competition of intellectual eminence is not a satisfactory means of testing fitness for Parliament. They consider the possession of property a more indispensable requisite than

mental ability, and they satisfy themselves that this is the best way to keep adventurers and humbugs of a low class out of the field.

But another reason is scarcely less powerful, and that is the deep seated jealousy which is felt of the press. The ordinary British elector does not like being dictated to. He is very apt to take his political opinions from some favourite journal, and the more dictatorial the journal is, the more ready he often is to acquiesce in what he finds set down in print. But he does not quite like being led, and has an uneasy feeling that he ought to exercise a more independent judgment. Probably many of those who declared against the "nominee of the *Times*" are assiduous readers of that journal, and think as it thinks from day to day. But still they like to show on a great occasion that they resent the influence which their morning paper habitually exercises over them. This jealousy of the press is by no means a bad thing, although it frequently assumes a shape that is very unjust to individuals, and betrays a great coarseness of mind in those who feel it, and express what they feel. Journalists had far too high and influential a position in France under the Government of July. A nation may soon come to lose political independence if it once suffers itself to lose independence of thought, and to criticise critics on great occasions in a coarse way of preserving independence of thought, but is not necessarily a bad way. That an Englishman kicks against guidance, and often pays less and less respect to a journal the more he is influenced by it, shows an element in his character which is intimately connected with the durability of the constitution. Not to be wholly led away by that with which they agree is one of the best qualities a people can have that aims at securing a good representative Government. One of the chief advantages we can boast over the French in the field where the intellect comes in contact with practical life is that we mix our credulity and our scepticism better than they do. Under the influence of what they call logic, they believe everything or reject everything. We retain a certain amount of distrust in the midst of our warmest adherence to the creed of a party or a cause, and do not like to see the thing we reject trampled on too harshly and completely.

It was not, however, only the Marylebone electors who quarrelled with Mr. Wingrove Cooke. The *Times* thought it necessary to let him hear a little of its thunder, and explained how very sorry it was that so sensible a man and so valuable a contributor should have done so silly a thing as "grasp at the falling mantle of Mr. Edwin James." Perhaps good taste would have suggested that a blow dealt to a friend might have been dealt a little more mildly, but it is impossible to say that some explanation or protest of the sort was not justifiable. We do not know in what way or to what degree Mr. Cooke was connected with the *Times*, but at any rate he was popularly taken to be a constant and influential contributor. When, therefore, he advocated political doctrines which are not consistent with the general view of affairs taken at present by the *Times*, there was some danger lest hasty judges, such as nine-tenths of those who read the morning papers must necessarily be, should take the spoken declarations of the contributor as more truly and honestly the opinions of the paper than those which the journal itself advocates. There is no certain rule to be laid down or sharp line to be drawn in such cases. There is no paper of importance to which members of Parliament do not contribute freely and frequently, and this without compromising their own position, or at all fettering the freedom of the journal. But either through accident, or through some peculiarity of their connexion with a paper, some men get to be more associated with it than others; and then if these men seek or attain a Parliamentary position, their language and actions begin to be contrasted with the political tone which the journal adopts. Thus a whole body of writers and the permanent conductors of a journal would be liable to be embarrassed, and would have their policy determined by the course one person connected with their undertaking chose to take, under the pressure of all the difficulties which a popular candidature creates, and of all the influences which the local exigencies of a constituency, or the claims of his party, exercise on a member. No journal can stand this which aspires to independence; and even when it is believed that the journal really controls the member, and therefore the difficulty of a divergent policy does not exist, the result is so little creditable to either party that the arrangement is one which very few people would think desirable.

If we pass to a more general question, and ask whether it is a good or a bad thing that there should be this separation between Parliament and the newspaper press, we find, as might be expected, that there is much to be said on either side, although we think the arguments for it being on the whole an advantage have the greater weight. It is quite true that it is a loss both to individuals and to the nation when men of education and honesty, who have mastered many political subjects, and attained to that practical facility of handling difficult questions which the highest kind of journalism involves, should be excluded from the national assembly. We must also acknowledge that their exclusion is connected with that worship of wealth which is one of our great national failings. But the individuals themselves gain quite as much as they lose. In the first place, they escape pledging themselves. They avoid putting themselves under the yoke which a popular constituency loves to tie round the neck of its representative, and they keep clear of that most awkward position which is occupied by a writer for the press who is also an official. If they go into

Parliament and succeed, they must expect and desire to have some subordinate office offered to them, and it is very embarrassing for a man of honour to be suspected of writing against the colleagues and superiors whom he has just quitted with a smile of assent upon his lips. As regards the interests of the nation, there are so very many excellent persons who have good claims and sufficient abilities, all willing and longing to be members of Parliament, that there is no danger of the country suffering by a want of proper candidates. As long as the first men of the nation and of every county and in London think it an honour to be allowed to play a part in English politics, there will always be as good a House elected as the constituencies can be persuaded to elect. On the Continent—as, for instance, in Austria at present—there is a positive dearth of persons fit to be members of a representative assembly; and there the advantages of securing a representative of the education and intelligence involved in successful journalism are obvious. But in England the wealthier classes are so numerous, so well educated, and so accustomed to political life, that the case is altogether different. It must also be remembered that Mr. Winstone Cooke is a very favourable specimen of a public writer, and that, if he is excluded, so are hundreds of vulgar, prejudiced, and half-educated men who would like to use the press as a means of advancing themselves and entering on a grand course of adventure and intrigue. That such men should be confined in their present sphere of comparative obscurity is a national gain which may well be purchased even at a greater cost than we have to pay for it.

## IRISH ORGANIZATION.

M R. FROUDE, in his history, gives an amusing account of an interview which once took place between the Holy Brigitte and her guardian angel. With the interesting inquisitiveness of her sex, the saint inquired "Of what Christian land were most souls damned?" The angel assigned the disagreeable distinction to Ireland, on the ground that there was "no land in this world of so continual war within itself, ne of so great shedding of Christian blood, ne of so great robbing, spoiling, foraying, and burning, ne of so great wrongful extortion continually." Ages have rolled away, and the Holy Brigitte and her cell are shrouded alike in the dimness of antiquity. Manners and customs, modes of life and fashions of dress, have undergone a hundred changes, but the hot fires of Irish pugnacity blaze as fiercely and brilliantly as ever. *Semper eadem* should be inscribed upon the national banners as significant of the chronic tendency of every inhabitant of the island to pick a pretty quarrel with somebody, and to enjoy the keen delirium of a hand-to-hand fight upon the first favourable opportunity. Sir Lucius O'Trigger considered that no gentleman of high feeling could be long in want of reason for blowing out any other gentleman's brains, and his countrymen of the present day certainly display the same characteristic alacrity in discovering grounds of contention, and in turning those grounds to the best possible account. The old grievances of Ireland afford, of course, a magnificent supply of topics, about any one of which the true Celtic patriot can lash himself into a fury at a moment's notice. A first-rate quarrel, like excellent wine, is all the better for keeping. The disputes, mistakes, and wrongs of other times serve, in the skilful hands of experienced controversialists, as well as they did when the attention of society was for the first time directed towards them. The schemes of national vengeance and emancipation which, for at least half a century, have lacked every semblance of plausibility, are produced without the slightest misgiving, and discussed with the keen relish that novelty alone is able, in most cases, to impart. The heartless cruelties of the Saxon oppressor—the gentleness, innocence, and docility of his Celtic victim—the atrocity of landlords who look for their rent on quarter-day, and of farmers who object to being shot at by the finest peasantry in existence—these, and many another kindred theme, still fan the embers of insular susceptibility into a blaze, and, to unaccustomed eyes, would seem to threaten the entire social fabric with instantaneous conflagration. One of the latest and most, imposing inventions is that of an organized agitation for separate existence, and of a monster petition which, from the mere immensity of its proportions, is expected to strike terror into the most inveterate opponents of Irish nationality. Various fierce gentlemen have elaborated the details of the scheme, and fill the columns of the *Irishman* from week to week with arrangements for its immediate execution. Nothing can be more alarming than their language, except the titles under which they write, and which are apparently adopted for the purpose of intensifying the inherent wildness of their style. A rose by any other name would smell as sweet; but it is impossible not to feel an additional awe for the compositions of authors who describe themselves as Landeragh, Allian, or Saranc-a-rum. All alike are agreed as to the impending downfall of the British Empire, and all acquiesce with the utmost cheerfulness in a providential arrangement from which the groaning bondsmen of Erin have so much to hope. The "National Brotherhood of St. Patrick" starts at once, like some beautiful exhalation, into existence, and lights up all the dreary prospect into radiance and life. "Once more the spring time comes, and the wild-flowers bloom in vernal beauty on the trampled headlands of Ireland, and the spirit of liberty, redolent of eternal life, soars above the old cone-crowned pillars of our land, quickening soul and manhood in the one resolve."

In another place we find the same idea more distinctly, though perhaps less romantically enunciated. The representatives of a regenerated Ireland will have, at any rate, the advantage of knowing precisely the course which they are expected to pursue during the crisis of their country's fate:—

Eureka, boys; the word is Greek,  
"Hurroo," I think, is the right translation;  
Some Sunday in the middle of the week,  
We'll win the rights of the Irish nation;  
We'll tear to tatters the Union-jack,  
And smash John Bull, and split his timbers;  
Och! won't they lather him black and blue,  
Our thirty thunderin' Irish mimbres!

Unfortunately, though every one agrees that the thirty thunderin' Irish mimbres are to make themselves as disagreeable as possible, opinions differ as to how this laudable design may be most effectually brought about. One party advocates a "Parliamentary policy," according to which no Irishman should ever set foot in the House of Commons except for the purpose of declining the proffered oath, and politely informing Mr. Speaker that the Irish nation to a man protests against the usurped authority of the assembly over which he presides. Others are distrustful of passive resistance, and would have the Irish members lose no opportunity of sounding their country's wrongs in tones of thunder. A third section of nationalists appears to despair of all human rectitude, and will not exempt even an Irish member from the universal law of faint-heartedness or corruption. Under no possible circumstances, it is thought, can Irish interests prosper in an English Parliament. Supposing, writes a desponding patriot, that as many as seventy-five members were to be returned, the evil genius of Ireland would still prevail. Of the seventy-five, half would probably be poor, and accessible to bribes; and the Government would at once lay out 370,000*l.* in purchasing their adherence at the rate of 100*l.* a-head; the remaining thirty-eight would seem to stand fast, but would presently fall victims to snares more delicately insidious and more horribly irresistible. The hospitalities of Cambridge House would prove fatal to the virtue of all but eight; and this little remnant would be merely holding out in hopes of more tempting offers, and would gradually melt away, till at last a single man remained, the solitary specimen of incorruptibility, to defend the privileges of his race, and to protest against the wrongs which he could not hope to obviate. The picture is a gloomy one; and we gladly turn to the more cheerful anticipations in which the "National Petition" allows us to indulge. This, it appears, is the grand discovery of the day, and the long desired panacea for Ireland's misfortunes. Public opinion, it is admitted, is a chaos, but the National Petition will restore it to order, beauty, and repose. Public life is extinct, but the same potent remedy will charm it once more to its pristine activity. Throughout the world the children of Erin look up, feel that the hour of deliverance is at hand, give their shillelaghs an initiatory whirl, and sign their names as martyrs and patriots should. From distant cities long catalogues are flowing in like tributary streams, to swell the mighty river of national discontent. Occasional subscriptions lend variety to the scene, and attest by their very minuteness alike the misery of the contributors and the excellence of the cause for which such sacrifices can be undergone. The Catholic young men of Dewsbury send a thousand and thirteen names, and a post-office order for one pound. From Durham we get nine hundred and seventy-nine signatures, and seven shillings. Cork contributes forty thousand names, and apparently nothing more. Liverpool sends forty thousand signatures, but preserves a significant silence on the subject of funds. A fair enthusiast of the name of Miss Bridget O'Grady, informs us that her fortune consists of one hundred pounds, but that she is nevertheless prepared to lay a sovereign on the altar of her country's liberties; while Saranc-a-rum, in a spirit of heroic self-devotion, tells his friend that "if he continues to press the subject on public opinion, he is at liberty to state that he knows at least one Tipperary P.P. who will contribute twenty guineas."

As to the final results of the monster petition, and the purposes for which it is to be ultimately employed, we might have been at a loss to conjecture; but fortunately our informant is as explicit on this part of the story as on all the rest. Its object is to obtain, not acceptance, but ignominious rejection. It is to fill up the cup of England's crime to overflowing. When it has been "duly spat upon in the House of Commons, and when our noble young chieftain returns to give an account of his mission," the oppressed nationality will feel that longer endurance is impossible, and will rally round The O'Donoghue against the common foe. Till that awful moment arrives we must be content to await in silent horror our approaching doom. Fortunately, English nerves have been somewhat hardened by long experience, and even The O'Donoghue in a passion may fail materially to disturb the national equilibrium. Meanwhile all parties are, we are sure, to be congratulated upon the moral results to which the Society of St. Patrick is likely to conduce. The only distinctions of the Brotherhood are to be won by "temperance, resolve, and manly knowledge," while "sobriety, virtue, and industry" are to be the leading characteristics of the whole fraternity. Some of the most ardent members of the sect have even suggested the total abandonment of whisky toddy and tobacco, but this, we are happy to say, has been felt to be a superfluous piece of self-mortification. "We are perfectly content with the brother-

hood as it is. The Patron Saint of the island has never surely been invited to preside over a worthier cause than that of increased moderation and self-restraint; and if agitators are henceforth to be invariably sober, virtuous, and industrious, the more we have of them the better.

## REMARKS ON THE BUDGET.

CLEAR as Mr. Gladstone's financial statement certainly was, it dealt with so many details, and set off, one against another, so many variations on both sides of the account, that few persons probably have mastered it sufficiently to form an accurate judgment either of the results of the past or the prospects of the present and future years. In the following observations we shall give what we believe to be the correct statement of the effect of the operations of the Chancellor of the Exchequer during the year which has just expired, and the real character of the changes which he has now proposed. The account of the year 1860-61 stands thus:—

<i>Estimated Deficiency of the year 1860-61, (which it is proposed to meet by reduction of Exchequer Balances)</i>	£1,316,000
<i>Actual Deficiency of the year 1860-61</i>	2,560,000
This deficiency has been met by—	
1. Reduction of Balances . . . . .	1,450,000
2. Excess of Repayments over new advances . . . . .	627,000
3. New Exchequer Bonds issued . . . . .	594,000
4. Fortification Loan expended . . . . .	50,000
(200,000 <i>l.</i> raised)	
Deduct Exchequer Bills paid off, &c. . . . .	2,721,000 162,000  £2,559,000

N.B.—From this the Chancellor of the Exchequer makes a deduction of 288,000*l.* for drawback on wines, which, he says, is properly chargeable on preceding years.

To make these figures intelligible we must add the following remarks:—

1. The net produce of the Paper-duty in the year 1860 was 1,324,000*l.*; and had the proposal of the Government to repeal that duty been acceded to, the deficiency on the year would have been increased to 3,881,000*l.*
2. There has been raised by the issue of New Exchequer Bonds to pay off Bonds falling due in the year 1861, 1,000,000*l.*
3. In the regular revenue of the year are included Malt credits and Spanish money, which are not legitimate income, but capital converted into revenue, 1,022,000*l.*
4. The permanent debt of the country has been increased during the year.

5. During the year there has been a shifting of taxation to the amount of 3,000,000*l.*, that being the amount of old taxes repealed and new taxes to the same amount imposed. All such shifting of taxation is objectionable and impolitic. Old-established taxes lose, by habit, half their oppressiveness—both morally and economically. New taxes, in their first imposition, are peculiarly oppressive, inasmuch as they violently disturb established habits, and interfere rather rudely with the existing application of capital.

6. By the financial arrangements of the past year, the Public Debt of the country has been increased, or the resources of the country diminished, to the following extent:—

New Bonds issued . . . . .	£594,000
Money raised on Annuities for Fortifications . . . . .	200,000
Malt Credits and Spanish Money . . . . .	1,022,000
Excess of Advances repaid over New Loans . . . . .	654,000
issued	
Decrease of Exchequer Balances . . . . .	1,450,000
	£3,920,000

In the financial arrangements of the present year it would appear reasonable and prudent that some effort should be exerted to repair the serious inroad thus made upon the resources of the country; more especially so, if we consider the unsettled and threatening aspect of public affairs throughout the world, and the importance in every respect of adequate preparation for any emergency.

7. By the Budget of the present year, however, no attempt is made to correct or compensate the deficiencies of the past year by cancelling the increase of the public debt, or restoring the amount of the diminished balances. On the contrary, it appears that with an estimated surplus, of very doubtful character, of 1,923,000*l.* it is proposed to repeal taxes, the annual loss by which must be 2,400,000*l.*, although the loss in the present year will, by estimate, amount only to 1,515,000*l.*

We are, therefore, repealing taxes by anticipation for the ensuing year (1862-63) to the amount of little less than one million.

8. The estimated surplus of the present year depends altogether upon the uncertain contingency of an important improvement in the revenue, and the realization within the year of a large amount of Chinese indemnity money. On the other hand, the loss by the proposed repeal of taxes is certain, and the amount of that loss is largely in excess even of this precarious surplus. The Chinese indemnity, moreover, is a resource of a temporary

character, whilst the corresponding loss by reduction of taxation is necessarily permanent.

9. Against the financial arrangements of last year it was objected at the time that they did not faithfully provide for the exigencies of the year. The foregoing statement fully verifies that objection.

Again, it was objected that an undue pressure was placed upon direct taxation; and that the high amount to which the Income-tax was raised must prove the source of much difficulty during a period of peace, and lead inevitably to very inconvenient and dangerous discussions. The validity of these objections is now proved by the recent vote of the House of Commons, obtained against the Government, appointing a Committee to inquire into the Assessment of the Income-tax—this adverse vote having been followed by the declaration of the Chancellor of the Exchequer, "that the condition of this country with regard to its finances cannot be wholly satisfactory when, in time of peace, the Income-tax stands at 10*d.* in the pound;" and that "our direct taxation has reached a point at which it is most desirable that we should, if we can, begin at least to apply to it the process of reduction," a declaration which has been carried out by the proposal to repeal the tenth penny of the Income-tax.

Thirdly, it was objected that we were finally abandoning valuable sources of revenue which could be ill spared. This objection has been verified by the fact that, in place of the three millions of taxes repealed, we were under the necessity of imposing an equal amount of new taxes, and still there was a heavy deficiency on the year, notwithstanding the retention of the Paper-duty against the earnest protest of the Government.

10. Few, if any, of the taxes thus abandoned can ever be restored; and to those already thus lost it is now proposed to add the entire surrender of the Paper-duty—a tax steadily increasing in its productiveness, even under the adverse circumstances of the last year.

What can be more inexpedient in financial arrangements than to repeal altogether taxes the annually increasing productiveness of which affords the best proof of their elasticity, and the certain assurance that under a partial reduction of them an important portion of the estimated loss to the revenue would be recovered; or to repeal taxes one year, in place of which it is necessary to resort to an immediate increase of the Income-tax, and in the following year again to reduce the tax so imposed?

In 1859 the Income-tax was levied at 5*d.* in the pound. It was then raised to 10*d.* in the pound for one half-year. In 1860 it was levied at 10*d.* in the pound. In 1861 it is proposed to reduce it to 9*d.*

Restlessness and incessant change in taxation is in itself a great evil—and this is more particularly the case with respect to the Income-tax. The justice and equality of that tax upon all classes of income can be defended only upon the assumption that it is maintained at a steady, unvarying rate. These incessant oscillations inflict great present injustice, and are full of future financial peril.

## THE TWO RIVALS.

Lord RAYNHAM'S manifesto in favour of linen-draperesses suggests many melancholy reflections. It is a sad feature in human nature that the noblest undertakings are constantly marred by the rivalry of their champions. We regret to find that even the lofty cause of protecting the unprotected female is being threatened by this fatal peril. The two great chiefs, who, like the Homeric heroes, fight their battle single-handed, are divided in their policy, and are levelling their measures against each other. Even as Garibaldi quarrels with Cavour, and as Achilles of old quarrelled with Agamemnon, so, we fear, Lord Raynham and Sir Charles Burrell no longer present to the enemy that unbroken front by which alone they can hope to carry terror into the camp of the economists. The Briseis, in this case, is the toiling maiden of low degree, whom each of the two knight-errants burns to take under his protection. Unhappily they have conceived antagonistic theories of her necessities, and are struggling to carry her off in different directions. Sir Charles Burrell takes a physical, Lord Raynham a moral, view of her dangers. Sir Charles fears that she will tumble, Lord Raynham that she will fall. Sir Charles dreads the window-sill, Lord Raynham thinks only of the Casino. Lord Raynham commands her—Sir Charles forbids her—to clamber. While Sir Charles implores the Legislature to step in, and prevent her by the strong arm of the law from leaning out of window, Lord Raynham, in the cause of virtue, entreats the Chancellor of the Exchequer to send her scampering up and down frail shop-ladders with heavy bales of goods over her shoulder. Sir Charles thinks, with the old song, that—

A maiden forsaken a new love may get,  
But the neck that's once broken can never be set.

But Lord Raynham, with sterner virtue, holds that a false step upon a ladder is the best sort of false step she can take. Thus it happens that while one of the brothers-in-arms is urging Parliament to provide for her new employments, the other is seeking to interdict that which she already possesses.

All lovers of their kind, and especially of their woman-kind, will mourn over this lamentable schism. Together they formed a powerful phalanx in the House of Commons. They constituted the philo-female party. On a reduced scale, but still in full per-

fection, they comprised within themselves the complete organization of a political party. Sir Charles whipped up Lord Raynham, and Lord Raynham cheered Sir Charles. But alone what can they effect? Sir Charles cannot whip himself, without feeling to a dreary extent the inutility of the occupation; nor can Lord Raynham cheer himself, without inconveniently interrupting the graceful flow of his orations. And then the combination was so beautiful! The impetuosity of youth tempered by the wisdom of age—Priam's tottering steps supported and guided by the graceful vigour of Paris! Their union was the poetry of the House of Commons. It made the grim Speaker smile, and snatched a tear of sympathy even from the Clerks at the table. Mr. Sheridan has complained that the Serjeant-at-Arms is stern to independent members; but he was all tenderness to these two energetic lovers of their fellow-women. Cannot the breach even yet be healed? Other and deeper differences have been accommodated. Can no compromise be devised which will bring together again this once united, but now disorganized party? Can they not meet in Willis's Rooms? Surely that atmosphere of reconciliation will inspire them with the suggestion of some middle course by which their extreme opinions may be harmonized. The two sections into which the party has been split might be reunited by a little mutual sacrifice. Lord Raynham, for instance, might concede that the old and ugly, who can pass scatheless through the casino, shall be forbidden to risk their brittle limb on window-sill or shop-ladder. Sir Charles, on the other hand, must abandon the young and beautiful to Lord Raynham's sterner discipline. Perhaps the best thing would be that the reconciled rivals should be nominated as a permanent commission, charged with the duty of distinguishing between the fair who must be condemned to clamber and the plain who may be allowed to lounge. Such an employment would have its fascinating as well as its instructive side. At first such a perpetual judgment of Paris might be trying to the natural man. Sir Charles might revive again the fame of Xanthias Phoebeus. A romantic halo would play round the Government office in which such investigations were carried on; and no doubt the competition for clerkships in that office would be severe. But after a time instruction would be blended with the romance. Both the great advocates of defenceless femininity would learn, from constant contact with their clients, something that they had not known before. Sir Charles would begin to doubt whether the premature extinction of maid-servants was, in all cases, so unmitigated an evil as it seems. Lord Raynham would acquire a sympathy, hitherto strange to his heart, for husbands who had committed aggravated assaults.

But if the breach be irreparable, and the philo-female party be for ever dissolved, we are bound, in passing judgment on a great historical event, to pronounce it as our opinion that Lord Raynham is in the wrong. It was not his place to deviate from the policy marked out by his chief. He should have remembered that he was not Don Quixote, but only Sancho Panza. He should have ridden gallantly at the windmill selected by his leader; it was contempt of all the rules of squires to choose a windmill of his own. In the course of nature—*procul absit!*—Don Quixote must be removed, and then the lowly Dulcinea will be all his own. If his views upon the subject of cruelty to animals will allow him, he may then mount Rosinante himself, and the world of knight-errantry will be all before him. But in the meantime he has broken the laws of chivalry by spurring on his donkey to a private and independent tilt.

But there is a more practical reason why Lord Raynham is in the wrong, and that is that his proposal will wholly fail of its effect. There is no sort of connexion between the scheme and the object it is to accomplish. Sir Charles, at least, if his penal legislation can frighten maid-servants out of the dangerous habit of protruding their persons beyond the edges of window-sills, may possibly succeed in preserving a few more of those interesting creatures as an ornament to the community. But it never seems to have occurred to Lord Raynham, when the great thought of taxing shop-boys first shot across his mind, to inquire whether the employment of women as shop-women would preserve them from the danger that he dreads. What ground has he for believing that linendrapery is an antidote to love? No doubt his philanthropic avocations do not leave him much leisure for practising the domestic art of shopping; and so he has come to form in his fervid mind rather an ideal picture of a linendraper's-shop. To his fancy, it is, or would be if his Budget were adopted, a calm retreat from this world's bustle—a convent of nuns, a temple of blameless vestals. Evil cannot cross the impregnable counter behind which threatened virtue is intrenched. Rude men have, indeed, thrust the fair creatures out of their haven of security, and therefore, somewhat de-vestalized, they pace up and down the streets outside. But if the men were taxed and turned out, the pavement would be cleared, and Cremorne's occupation gone. It is never a pleasant task to destroy the illusions of the young. There are not many spots upon this earth on which the mind can rest with unalloyed pleasure; and we should be sorry to deprive Lord Raynham of his blissful meditations upon the Utopia that is latent in a linendraper's-shop. But he should make some inquiry before he attempts to embody his visions in the statute-book; for his efforts are likely to issue only in adding considerably to the consumers of tea and muffins at the midnight meetings in St. James's Hall. The employments he proposes have not hitherto been found remarkably favourable to the de-

velopment of maidenly excellences. If he will undertake a mission among the milliners, he will find that the spotlessness of the drapery they handle does not necessarily communicate itself to their characters. If during his leisure hours he will lay himself open to receive the sweet confidences of the damsels who wait at refreshment-rooms, he will learn that a counter is not such an insuperable barrier as he imagines. It must also be admitted that Sir Charles is the sounder judge of muscles as well as morals. Lord Raynham might almost as reasonably have proposed that a tax should be levied on male railway-porters for the purpose of inducing the railway companies to employ women to carry luggage. Such matters may safely be left to the law of supply and demand. The cheaper labour of women would long ago have been employed if they had possessed the physical strength requisite for the work.

#### THE CHANNEL ISLANDS AND THEIR LAWS.

##### II.

**M**R. SERJEANT PIGOTT, some weeks ago, in calling the attention of the Government to the Royal Court of Jersey, gave an amusingly vigorous description of the shortcomings of that miserable tribunal. It combined, he said, "every bad quality which could apply to any court. The administration of justice was in the hands of a numerous body whose attendance was precarious; business was conducted in a dilatory manner; the judges were ignorant and incompetent; scenes of violence took place; the law of arrest was such as to serve as a potent instrument of oppression and extortion; while as to evidence, a man could not call as a witness the husband of his aunt; and a case had occurred where the suitor's wife's former husband's father had been excluded from the witness-box on the ground of interest." The Report of the Commissioners on the same subject shows that the learned Serjeant's description was by no means too highly coloured, and that some immediate and radical change is imperatively demanded. At present, the seventy thousand inhabitants of Jersey may be said to lack one of the first privileges of civilized existence—that, namely, of suing and being sued in a reasonable, decent, and intelligible fashion. There are four grand essentials for an efficient tribunal, and in all four the *Cour Royale* is conspicuously defective. In the first place, a good court must be properly constituted, and must provide for a regular supply of judicial and administrative ability. In the second place, the laws which it prescribes for itself in the examination of facts must be rational and distinct. Next, the forms of its procedure should be convenient to the parties interested, and appropriate to the subject-matter of the inquiry. And lastly, when its sentence has been pronounced, it should possess proper means for carrying that sentence quickly, cheaply, and peaceably into execution. Tried by such a standard, the *Cour Royale* seems to be almost as bad as the most laboured ingenuity could have made it. Everything that it should have, it wants; all that it should want, it possesses in unhealthy abundance. Its constitution is fatally unsound. Twelve Jurats, presided over by a Bailiff, are, for the Jersey litigant, the fountain head of all judicial sagacity. The sole qualification for a Jurat is the possession of a rental from landed property of about 30*l.* a-year, and abstinence from the avocations of brewers, butchers, bakers, and tavern-keepers. No previous legal training is obligatory; and the Bailiff, who presides over this College of Judges, has no decisive voice, except in the case of the Jurats being equally divided; and even then he must pronounce in favour of one of the two parties, though he happens to dissent from both. It is even doubtful whether he may express an opinion unasked on a point of law; and the Commissioners consider his position so embarrassing, and his rights so indistinct, that he must always be virtually either the tyrant or the slave of the assembly whose deliberations he is supposed to guide and assist. Beside being judges, the Bailiff and Jurats are members of the Legislature, and are charged with the administration of considerable public funds; and this union of distinct functions in a single body gives rise, of course, to various inconveniences, and is calculated to occasion serious miscarriage of justice. Business in the first instance is transacted before the Bailiff and three Jurats, who for this purpose constitute a quorum of the Court; from these, an appeal lies to the *nombre supérieur*, or the Bailiff and seven Jurats, and from these again, in particular cases, to a still higher tribunal. The results at which these gentlemen arrive are, as might be expected, not invariably characterized by the wisdom, calmness, and impartiality which are justly looked for in a judge. In one instance, a man who declined to give a bill by way of payment of goods, was actually sued upon the bill which he refused to give; and in another, a trustee was arrested on mesne process, and threatened with an action, for refusing to pay over to a husband and wife the principal of a fund in which they had only a life-interest. Such inconceivable blunders involve not merely ignorance but downright stupidity, and the Commissioners naturally insist upon the paramount importance to Jersey of some more enlightened system. "It is our deliberate conviction," they say, "that the island, with its great wealth and population, its large foreign commerce, and all the important and complicated interests which have arisen in it, has at the present day so completely outgrown its judicature, that any reforms which shall leave the duties of the Superior Court in the hands of a numerous body without professional education, whose attend-

ance is precarious, and for whose nomination no one is responsible to public opinion, will be absolutely nugatory." Various remedies have been suggested. Some persons have recommended that the Courts at Westminster should have regular jurisdiction in the island; others have wished to retain the present court, and that a Justice in Eyre should periodically visit the island for the purpose of reviewing its decisions. Of these schemes the Commissioners reject the first, on the ground of the offence which it would give to the sentiment of insular independence, while the second would involve a too serious expense. Their plan is to have for the future three efficient judges nominated by the Crown, and holding office during good behaviour. Of these the bailiff would be chief, and the two puisne judges would act sometimes as his assessors, when it was desirable to have the opinion of the full court, and sometimes as independent magistrates—one in a police-court, and one in a petty debts court, which at present exists in the island and is presided over by one of the jurats.

The laws as to evidence by which the court has hitherto been governed are as absurd as its original constitution is defective. A few specimens will suffice. All the witnesses have to be summoned a clear day before the time fixed for the trial, and any one not so summoned is not admitted in any case to give testimony. On the day fixed, all the witnesses are sworn, and even though no evidence be in fact taken on that day, any witness not then present is "*retranché*" from the cause, and cannot afterwards be admitted to speak. Kindred, to the first cousin inclusive, and all interested parties, are inadmissible, and a person is considered to be interested, not merely when he is concerned in the actual subject-matter of a suit, but when the general principle involved is supposed to affect him. Formerly, moreover, a witness might be excluded on the ground that he had communicated his evidence to the party who called him. Most of these regulations must, it is obvious, tend to imperil and embarrass *bona fide* actions, and to give dishonourable litigants every opportunity of frustrating the claims of justice. The non-attendance of a witness, for instance, is ground for a request to postpone the trial, and any person who wishes unfairly to protract a cause can do so for years by summoning a large number of unnecessary witnesses, some of whom are certain to be absent, and then relying from time to time on their absence as a reason for delay. In one instance, the Commissioners found that a cause in which a Jurat was himself concerned, and which involved a question of personal character, had been spun out by these and other contrivances for no less than twelve years. For the future, they suggest that evidence should, as in this country, be invariably accepted when tendered, power being reserved to award a new trial on the ground of surprise, in those cases in which there is reason to suspect a miscarriage of justice. As to the admissibility of kindred and interested parties, the Commissioners recommend the application of the principle which has governed recent English legislation on the subject—that, namely, of admitting all witnesses for what they are worth, and leaving the jury to judge of their probable veracity. They think, however, that the prejudices of the inhabitants would be so much offended by permitting husbands and wives to give evidence against one another, even in civil cases, that they suggest that, for the present at any rate, no such change should be introduced.

Another matter, as to which the present system is found productive of hardship, is the arrest on mesne process, for which the machinery of the Royal Court affords peculiar and dangerous facilities. Supposing a defendant to be a stranger, or, though a permanent resident, to have no landed property sufficient to satisfy the claim in question, he is liable, on the mere statement of the plaintiff, without any intervention of a judge, to be arrested and imprisoned. Ten days may then elapse before he has any opportunity of questioning the justice of his detention, and even then its legality is seldom disallowed before the final adjudication of the cause in the defendant's favour. Jersey, of course, from its size and position, affords especial advantages to fraudulent debtors in effecting an escape from the law; and it is, no doubt, necessary that creditors should be armed with some summary and efficacious means of enforcing their rights. Still, the Commissioners consider that the sanctity of personal liberty is at present needlessly and recklessly violated; and they recommend several modifications of the existing system, which would certainly rob it of its most objectionable characteristics. Should their plan be adopted, arrest will, as a general rule, be allowed only under a judge's order, and on the formal affidavit of the arresting creditor; and though, in some extreme cases, a creditor will still be empowered to order an arrest on his own authority, the most ample measures will be adopted for the speedy investigation of his right, and the prolonged incarceration of an untried defendant will be rendered altogether impossible. In other respects, the procedure of the Court is comparatively unobjectionable, and, under the control of competent officials, would probably be found to work with tolerable efficiency. The pleadings between plaintiff and defendant are oral, as was originally the case in our own law courts. Where matters of account are in question, the parties are sent before the Greffier Arbitre, or Clerk of the Court, who acts as a sort of arbitrator, and states a case upon which final decision may be pronounced. If the action involve local matters, there is what is called a

"*vue de justice*," for which the bailiff and three jurats and twelve jurors proceed to the spot in question, and there and then pronounce upon the merits of the case. As a general thing, trial by jury has fallen into complete disuse, and one reason against its employment is, that in a limited society like that of Jersey, there is no opportunity for a change of venue, and no refuge accordingly from any popular prepossession which might render a jury, for the time being, a most unreliable tribunal. The Commissioners recommend, however, that parties should be allowed by consent to adopt this form of trial, and they think that the numerous intelligent and independent middle-class of the island would be likely to furnish an ample supply of excellent jurymen. As regards execution, or the carrying out the decrees of the Court after final judgment, the arrangements of the Cour Royale seem consistently troublesome, expensive, and irregular. In England this duty devolves invariably upon the sheriff, but in Jersey no less than three separate officers make a rush upon the unhappy defendant, and have a fierce fight among themselves for the privilege of carrying out the law's decrees against his goods and person. The Commissioners point out the gross scandal and needless waste of labour which such a state of things involves, and propose that hereafter the execution of all process shall be entrusted to a single official. Our limits forbid us to notice several other interesting particulars in the Report; but we think we have said enough to show that the complaints of the islanders are well grounded, and that their requests for immediate legislation on the subject have a fair claim to a respectful and considerate hearing. So undisturbed a session as the present ought to bear a rich crop of minor reforms; and though the Channel Islands form but a tiny fraction of the British dominions, their grievances will, it is to be hoped, in a period of almost unexampled tranquillity, receive some share at any rate of the attention which in more exciting times has to be reserved for matters of Imperial interest.

#### IT'S ONLY ONCE A YEAR.

THERE appears to be no necessity either for speeches or for articles against the Ballot. What is called by a few enthusiasts the progress of that measure has now reached a point at which neither the House of Commons wastes its time in giving, nor would the public take the trouble to consider any reasons for the rejection of Mr. Berkeley's motion. It is all very well for that gentleman to challenge the Treasury Bench to get up and manfully confront him; but he forgets that it requires a determination and a length of practice equal to his own to confront manfully an impatient chorus of "Divide," and to attempt to occupy the time of members who think they have been put to very unnecessary trouble in being brought down to the House to vote. "Loud and general calls for a division" are a sad extinguisher of oratory; and we doubt whether Mr. Gladstone himself could make a speech against the Ballot to which the House would listen quietly. It is, at any rate, a far less formidable task "to sneak away into a back place and write an article," which will interfere with the engagements and try the patience of nobody who does not choose to read it. We feel in our own back place, at the present moment, a comfortable assurance that we may be as tedious as if it were a pulpit. No indecent cheering will mark the commencement of our last paragraph. We have given in the first two lines of this article a fair warning that we intend to bore our readers, if we should have any. We have got by established annual usage our opportunity for writing about the Ballot, just as Mr. Berkeley took an hour before dinner for his speech in the House of Commons, and just as the bellman at Christmas commands attention to his verses. But if any subscriber to the *Saturday Review* expects that it is going to be amusing upon this topic, we beg to say that a judge in Chancery might just as reasonably require the counsel who practise in his Court to put a little life into their speeches. This article will be adapted for reading in a railway train after the advertisements, or perhaps it might suit the taste of a criminal undergoing solitary confinement, or of one of those "other peers" who sometimes indulge in the recreation of being moved by the Lord Chancellor to give judgment upon Scotch appeals.

It seems to us that the only chance of rendering this annual discussion interesting was missed through the culpable neglect of the Committee on the Corrupt Practices Prevention Act. "The members of the Ballot Society were refused the opportunity of giving evidence before that Committee." We really should have liked very much indeed to have seen the Ballot Society, or even to have seen the Committee which reported that it had seen it. The manifestation of this Society in the flesh would have excited equal curiosity with the bodily appearance of a commercial "Co." We had indeed an impression that the Ballot Society was incorporeal, and that Mr. Jelinger Symons might still be considered an important part of it, notwithstanding his recent death. The Society does, indeed, possess an office somewhere in the city, a secretary, and perhaps a clerk or two, with the necessary stools and desks, some stacks of pamphlets, and a supply of stationery. We may say further that we believe, although we don't know as a fact, that any body desirous to subscribe his money for the furtherance of the objects of the Society would find a person or persons ready to receive it. But that which we should like to see, and which, but for the negligence of the Corrupt Practices Committee, we might have seen, would be the actual authors of those pamphlets in dialogue in which scoffing M.P.'s become en-

thusiastic votaries of the Ballot. If the Society in any shape can persuade the reason of those who talk with it, there was no obstacle, except their own perverseness, which hindered the members of this Committee from speaking, or at least gesticulating amid discordant noises, in support of Mr. Berkeley's motion. We must, however, confess our own strong suspicion that the visible members of the Society would amount, all told, to about as many as the readers of this present article, or the congregation to whose actual number Dean Swift is said to have adapted the words of the exhortation in the Prayer-book. The reports of the proceedings of the Society look very like a product of the same lively imagination which can find in the defeat of Tuesday evening a ground for increased confidence of future victory.

There is, indeed, one point of view in which it may be said that the cause of the Ballot gains strength with the lapse of time. Mr. Berkeley considers that he drew from the Great Exhibition of 1851 a powerful argument, which will be again at his command next year. We do not feel the force, nor even the pertinence, of Mr. Berkeley's reasoning; but certainly, if members of the House of Commons should be provided with an agreeable lounge, it may become more difficult than ever to assemble them to resist the Ballot; and therefore it is possible that, in 1862, Mr. Berkeley may exult in a defeat by less than 125 votes. But we really cannot see that the observation that the upper classes paid attention to the carriages and the silks, while the working-men were engrossed by scientific objects, has any immediate application to the matter in hand—except this, that M.P.'s, as belonging to the upper classes, appear to prefer amusement to the improvement of their minds, and therefore, *a fortiori*, must prefer it to the statistics of the Cirencester elections, collected by the Liberal Registration Association of that borough. Mr. Berkeley will, we hope, be alive and well next year, to make a second comparison of the conduct of the crowds on the five-shilling and on the shilling days. He may observe a difference of taste even more remarkable and extraordinary than that which has impressed his mind so strongly. It will be seen that the upper classes fritter away their time on lobster salad, cold ham and chicken and champagne, while the working-men and their wives and families are steadily occupied in investigating the interior of baskets containing solid home-made pies, lumps of bread and cheese, and bottles of stout. Having stated these observations to the House, Mr. Berkeley will proceed to ask with increased confidence whether these are the people whom it is afraid to trust with votes. The "good sense, steadiness, and loyalty" of the majority of the visitors to the Exhibition will appear just as much or as little in their abstaining from the contemplation of the luncheon-tables where they cannot afford to sit, as of the carriages and silks which they have not the means to buy. Little boys without a penny in their pockets sometimes gaze wistfully into the window of a pastrycook's, but we certainly have never found Piccadilly obstructed by a crowd of working-men collected round Fortnum and Mason's shop; nor did it occur to us, until we read Mr. Berkeley's speech, that the absence of such an inconvenience furnished a conclusive reason why all working-men should have votes, and should give them through the medium of the Ballot.

We have not the smallest objection to this revival of the model working-man, except that he is extremely tiresome. But we really must protest against Mr. Berkeley's assumption that the growth of time has supplied him with another available argument in the Volunteers. Without any disposition to flatter that body, we undertake to say that it has deserved better of the country than that the Ballot should be demanded in its name. We cannot put in a stronger light the repugnance which we feel towards Mr. Berkeley's proposal, than by declaring our opinion that a volunteer who required "the safeguard of the Ballot" in giving his vote would be likely to discover a marvellous alacrity in seeking shelter in the field of battle. There are many volunteers who possess votes, and many more who are tolerably content without them, but we would not willingly believe that there is one who does not possess the courage to walk up to a polling-booth and vote openly according to his conviction. We are not pledging the Volunteers to any extravagant flight of heroism when we say that it is a gross libel on them to put the mean, puny, caterwauling tones of the ballot-mongers into the mouths of men who have taken upon themselves the name of soldiers. There may have been a time when the presumption of Mr. Berkeley and his friends in offering themselves to speak on behalf of the English people was a trifle less outrageous than it now appears. Happily, that delusion is now dispelled. Those who pretend that a man can deserve the franchise, although he has not the courage to use it openly, are counted in the House of Commons at 154; but the sincere holders of that opinion are probably Mr. Berkeley and the Ballot Society, or, in round numbers, 2. For our own part, if that Society sends to us any petition of the model working-man, praying for protection in giving his vote, we shall ask of it, as Captain Marryat's sailor did of the abolitionist who showed him a picture of a kneeling, weeping black imploring fraternal aid—"Do you mean to say that that there crying thief is my brother?" If there are any Volunteers who are afraid to vote without the Ballot, they really ought to be formed into a separate corps ready to march at a moment's notice into the North of England whenever an enemy shall have effected a landing in the South.

#### TAXES ON KNOWLEDGE AND INDECENCY.

WHEN it is proposed to lower the Borough Franchise to six pounds, it is seldom considered what social facts this easy formula of a six-pound franchise implies. Statesmen and Parliament men view the thing in a very abstract way. What they ought, and what we all ought, to consider, is not the symmetry of the expression—not the necessity of meeting the times, and the tendencies, and the law of ages, by a sliding and self-adjusting scale of theoretical economics—but what a six-pound franchise means when reduced to the terms of living men. A ten-pound franchise or a six-pound franchise means very little in a speech in Parliament—it means anything or nothing, merely as an arithmetical and controversial expression. But it means a very great deal when it represents so much intelligence, sobriety, thrift, self-control, industry, and providence, or so much brutal ignorance, drunkenness, improvidence, dirt, squalor, and immorality. In other words, we doubt whether anybody has really considered into what sort of hands the government of the country would be trusted in the case of six-pound householders, or what, as a class, six-pound householders are. A recent and useful little work—*Smiles on Workmen's Earnings, Strikes, and Savings*—tells us that "half-a-crown a week is the average rental paid by our skilled workmen." Now, 2s. 6d. a week is 6l. 10s. per annum. Here, then, is the actual 6l. franchise living as a reality among us. And to the habit of paying only as little as 6l. 10s. per annum for rent Mr. Smiles, fortified by a ghastly amount of evidence, attributes what he characterizes in general terms as "a daily martyrdom and ceaseless process of degradation." He describes the working classes generally in the manufacturing towns as perfectly incapable of control. He points out that in the whole county of Lancashire there are but thirty savings banks. He says that, in the way of intelligence and real happiness, a labourer in the country at twelve shillings a week is generally above an iron-worker at as much a day—that, according to the official reports, "there are whole neighbourhoods in the manufacturing districts where not only are there no savings worth numbering, but where, within a fortnight of being out of work, the workers are starving for want of the mere necessities." And yet every one of these men is already paying a six-pound rental. If this is what the existing 6l. rental involves or encourages, it really does not seem to be very good policy to attach political privileges to it. The 6l. householder is not a political element to be trusted. It would, if it were worth the while of reformers to look facts in the face, seem to be a wiser course to elevate the skilled artisan to higher suffrage, rather than to depress the existing suffrage to that miserable standard which tends to confirm the taste of the working man for miserable domestic accommodation.

Well, then, here is one instance of a vast amount of Parliamentary ignorance. Not a speaker in the House of Commons that we remember has ever condescended to tell us what, in fact, a 6l. franchise is, or what manner of men it is likely to encourage or to represent. So it is with another free and easy formula. Unquestionably the abolition of the Paper Duties can benefit only one class in the community—the proprietors of the penny newspapers. Is anybody at the trouble of finding out what comes of penny newspapers! We shall take a single aspect of them. On other occasions we have expressed our judgment about a good many of the local metropolitan journals, and on the whole we have spoken favourably of them. Of those of larger pretensions, and with a more general aim, we shall not speak more particularly, except to say that perhaps only in one instance do they lay themselves out for pandering to the worst tastes and corruptest habits of the worst part of human nature. But we have always felt that there was a danger in this direction, and that there was not only a danger, but positive evil, actually at work. If there is to be much competition among penny newspapers, the present type, which is not too high, must be lowered. Whenever any utterly abominable case is before the public, the *affiches* of at least some of the penny newspapers already put forth a rivalry of hints attractive and stimulating to curiosity. In the filthy case of Mr. Warde, and in the more recent tale in which Miss Longworth and Mr. Yelverton were concerned, newspaper bid against newspaper for the credit of giving the most minute report. But circumstances and the working of a recent Act have rendered the supply of indecency perennial. Whatever might be said in favour of the Divorce Act and for the establishment of Sir Cresswell Cresswell's Court, few people thought of the actual consequences of the change in the way of that flood of impurity which it would pour into the public mind. It is of the connexion of the reports of the Divorce Court with the cheap press that we desire to speak. Taxes on Knowledge is an expression round and sonorous; the abolition of the Paper-duties claims to mean cheap history and cheap poetry, twenty per cent. saved on treatises on Quadratic Equations, and a great stimulus given to the sale of Scott's *Commentary* and the *Pilgrim's Progress*. This is what we are promised by the abolition of the Paper-duties. What we are actually likely to get is a succession of journals like a penny paper, of which No. 1 appeared last Saturday—*The Divorce News and Police Reporter*. If, under the restraint of the high prices compelled by taxes on knowledge, the *Divorce News* is an actual speculation, what manner of cheap newspapers may we not expect when penny newspapers can, after the remission of the Paper-tax, be made a profitable commercial investment? If, as we have tried to show, a six-pound

franchise really only means a premium on idleness and careless profligate extravagance, it becomes a serious question whether Mr. Gladstone's repeal of the Paper-duty is not equivalent to an invitation to licentious and indecent publications.

We shall not enter into the larger and more serious questions which the working of the Divorce Act suggests; but there can be no doubt that the publication of the reports of cases in the Divorce Court is a serious evil. It is of course theoretically possible to avoid all this; but the conflicting evils of a Court sitting with closed doors and of publicity are so evenly balanced, that it was perhaps justifiable in the House of Commons to decline to give Sir Cresswell Cresswell's Court any special privilege in this direction—though it seems that Sir Cresswell has been tempted to forget that he still possesses that general guardianship of public morality with which all judges are invested, by excluding the public under extreme circumstances. But, further, if the organs of public opinion thought proper to combine, they might, as they once used to do, prevent this public scandal. They are not called upon to publish indecency; but in the present competition among newspapers, it is to be regretted that those of the highest character often feel themselves compelled to be as prolix and dirty as their neighbours. The reports of the *Times* in the case of the Squire of Clopton were just as bad as those of the *Telegraph*. There is now, we are glad to inform our readers, a remedy for this public nuisance. The evil is likely to cure itself. A public sink and main sewer has been provided. Respectable newspapers used to publish dirty reports because it was thought, or anyhow said, that justice suffers by withholding the proceedings of any Court of judicature. The *Divorce News* may now be consulted as an authorized repertory of indecency. It is something to have all your nastiness, like the Delphin classics, in a compact appendix.

This is the use to which we think the *Divorce News* may be turned. It may relieve the *Times* and the *Post* from the supposed necessity which is laid upon them of supplying the vulgar taste for filthy cases. Not that the *Divorce News* contents itself with these humble aims and slender aspirations. It came forward with a high moral purpose. It warns off the profane and libidinous. "The public will find nothing objectionable *unnecessarily* obtruded on their perusal for the mere unworthy pandering to prurient ideas. Far from it—our wish is not only to warn, but to instruct." Just so. The *Divorce News* only obtrudes its indecent chronicles necessarily. The pandering to prurient ideas, being necessary, is to be welcomed. The *Divorce News* has a mission; it is a public instructor; all our penny Mentors are public instructors:—

Motus doceri gaudet Ionicos;

and we ought to be thankful to the public teacher. Aretin had a mission—he taught. To be sure the conductors of the *Divorce News* cannot help being chroniclers of evil, but "they are also teachers in the most practical way of good." The apology is broad and comprehensive. If the broadest lesson for good is the general knowledge of evil, then not only the chroniclers but the actors and authors of evil are the true benefactors of mankind. The *Divorce News* is the salt of the earth because it makes known evil so widely. But evil could not be made known unless evil existed. *Ergo*, Catiline and Colonel Chartres, Borgia, and Messalina are among the choice benefactors of mankind. If the knowledge of the life and conversation of Lord Audley or Mr. Warde is so important to mankind, *a fortiori*, nay, *a fortissimo*, there must be immense value in the edifying example of Lord Audley and Mr. Warde themselves. The authorities upon which our new moral teacher relies are curious. The *Divorce News* quotes Lactantius, of all birds in the air, which "good Christian father"—so we are assured by the *Divorce News*—observes, "Prima sapientiae gradus est false intelligere." Whether Lactantius ever said so or not we are about as certain as the *Divorce News* can be, but we remember that if he did, the Devil said so more than a few hundred years ago. The "good Christian father" was anticipated by the Serpent anyhow. This was precisely the observation the Devil made to Eve, as recorded in the third chapter of Genesis, and though we cannot compete with the *Divorce News* in patristic erudition, we make its editor a present of the Scripture precedent. The *Divorce News* intends to be a journal "which shall merit and gain admission into families," although a burthen is laid upon its pious conductor to speak with a holy boldness, and although "it means to call a spade a spade." Yet while it invites a righteous inquisitiveness, it warns off a profane scrutiny into the chaste mysteries of adultery and incest. "If any person of prurient mind peeps into our pages with the sole wish of ministering to his own depraved fancy, that is no fault of ours." To be sure it is not. If we lay a man-trap in the shrubbery, it is no fault of ours if the gardener's leg is broken. If we poison the parish pump, it is only the fault of those who drink water that anybody dies. Great and manifold are the blessings of cant. A purveyor of Holywell-street wares cannot pen his filthy columns without claiming to be a public instructor. The very arts of indecency are proclaimed to be moral duties, and the chronicles of the stews are an uninspired Scripture for the people. The gutter, and the cesspool, and the brothel all have a mission in these days of morality when the public instructor has a duty to the world. It is with real pleasure that we welcome the youngest recruit in our own sacred band of unordained preachers. The press has its mission indeed when the *Divorce*

*News* claims to be doing a great practical good to society at large.

We should be unjust to our moral contemporary were we not to point out a little discrepancy between its promises and performances. If we were to buy the *Divorce News* on the faith of its own engagements—viz., to send special reporters of its own staff to gather into one fitting sheet an expressly choice and original report of the Divorce and Police cases—we should fare as the young undergraduate is said to have fared who sent up his guinea for a sealed book from Holywell-street, and got only a penny tract in exchange. After all, the *Divorce News* does not provide either a larger or a dirtier sty for us to wallow in. All that it does is simply to copy, as far as we can make out, the reports of the daily news from the daily newspapers. All the dirt is scraped up into a hebdomadal dung-hill; but it is the daily dirt, neither more nor less, neither fouler nor cleaner. It is something to convict the *Divorce News* of being an impostor every way. It does not even fulfil its own promise of superior filthiness. It is only just as unclean as the daily newspapers, with its own speciality of cant.

#### THE NEW PUBLIC STATUES.

WE are doing our best to adorn London. The prophet has not been in vain lifting up his voice in the wilderness of art, and calling upon the sons of England to repent, and return to the worship of the beautiful. There are really signs of a better life among us. Where it might least have been expected, there is a stirring of the dead bones. The City of London puts in a claim to be the Florence of the future, and the Borgo Allegri is revived somewhere near Lothbury. The Egyptian Hall at the Mansion House presents us with some of the best works of the Romantic school of British sculpture; and Baily and Foley, Thed and Marshall get that patronage in the East which certainly is not too profusely lavished on sculptors in the West. It cannot be said that this new strength in art is the factitious result of official patronage, for it is undeniable that private enterprise and private taste excel our public works. In the City warehouses and City banks, and in the sumptuous railway hotels, there is infinitely more to be proud of than in the ignorant presumption of our Premier, who has forced his bad taste in architecture upon a reluctant artist, or in the mean and feeble works of sculpture which have recently been erected in the public places of the West. Within a few months our list of public statues and monuments has been increased by—1, Baron Marochetti's *Cœur de Lion*, in Palace-yard; 2, the Guards' Memorial, in Waterloo-place; 3, the Memorial to Lord Raglan and the Westminsters who fell in the Crimea, in front of Dean's-yard; 4, Havelock's statue in Trafalgar-square. We are not rich in statues; but four public works of heroic size in six months constitute a very fair supply in the way of quantity. Our present concern is rather with their quality.

But are they public works at all? The answer to this question opens up another. We believe that to private friendship and munificence, to the active committee and the subscription list, we owe every one of these brazen acts of hero-worship; and is it because they are private gifts that they are so bad? Mr. W. Cowper's account of the matter is, that though the Government is responsible, yet it is hard to refuse a present. The friends of Napier or Havelock offer a statue; the Guards give Mr. Bell a commission; the old Westminsters wish to be pious to the manes of their distinguished schoolfellows; and the private friends of Baron Marochetti, who think that he is a hardly-used individual, send round the hat and succeed in paying for a casting of "the *chef d'œuvre* of this talented artist." The Commissioner of Public Works is only asked for a site, and he dares not look a gift horse in the mouth, though, if his judgment were privately asked, it might be that the said horse is only fit for the knacker. Here is the root of the whole matter. The public taste gets the discredit of our bad statues, because the authorities are afraid to say that the public is not bound to accept any statue that can be subscribed for; and though the Government can refuse, yet, as in Mr. W. Cowper's case, we trust the responsibility with one whose judgment, as expressed on the Westminster Memorial, is worth nothing. The Trustees of the National Gallery very properly decline to hang rubbish, though it is bequeathed by will and offered with solemnity and ostentation. A Commissioner of Works ought to be the guardian of public taste. His function ought to be larger than to hint and whisper, as he did, on Admiral Walcott's interpellation about the Nelson Monument at Charing Cross, that there really was some chance of Trafalgar-square being a refuge for destitute brazen men in general; and he ought to know more about art than Mr. Cowper showed that he knew when he gave his judgment on Mr. Scott's column.

As is always the case with Baron Marochetti's works, the *Times* of the occasion—it was last November—inaugurated the *Cœur de Lion* in Palace-yard with a perfect bray of trumpets. We say "bray," because no other word will give the double effect—the salutation of the artist and the voice of the critic. Baron Marochetti was congratulated that he had produced a statue the excellence of which chiefly consisted in impossible armour, and in features the main credit of which was that they were unlike what is known to be an authentic portrait of the Lion-hearted King. We do not say that the artist was bound to copy with servility the features of the historical effigy. There

is a mythical element in the subject adverse to cold copyism. But when all the ideal was before him, what the sculptor has achieved in the features of Richard is only that tame prettiness which may be seen in its perfection at Baker-street. The Palace-yard Cour de Lion as much and as little reproduces the mighty man of valour who thundered charging across the plains of Ascalon, or the *Noir Faiséant* of Scott, the assailant of Torquilstone, as Madame Tussaud's series of Plantagenets worthily represent those whose effigies are in the Royal Abbey of Westminster. As to the armour of Richard, it is a flat and total falsehood. It is not the armour of Richard at all, and if it were, human muscles, even as exaggerated as Crusader's *biceps*, are not as perceptible through chain mail as through the flannel shirts of the Oxford Eight. Chain mail really was not worn next to the skin; and if Baron Marochetti had gone to any higher authority for regal and military costume than that afforded in the theatrical prints most familiar to schoolboys, he would have learned that when kings went forth to battle in old times with the Saracen they did not go, for all practical purposes, naked. We do not say that the statue is other than lively, picturesque, and spirited; only the action is theatrical, the details chronologically false, and the anatomy doubtful while ambitious. But graver faults remain behind. The horse, besides being an historical impossibility, is no more fit to carry a Norman knight in complete armour than the winner of the Derby is to drag coal waggon up the slopes of the Adelphi. The most that can be said for it is the equivocal compliment of the *Times*, that the artist did not feel himself fettered by these things. An artist who is congratulated on being superior to truth in feature and costume may well be pardoned if he supersedes the *destrier* of history by the trained caracoller of Batty's circus; but when we are invited to fall down and worship the only great equestrian work of modern times, we cannot forget the really statuesque dignity and majesty of Le Sueur's Charles I. at Charing Cross, which we pass on our way to Palace Yard, and the sublimity to which even a theatrical sentiment can rise in Falconet's Peter the Great. Nor, in our recognition of the merits of a foreign artist, are we to forget that England has produced, in Foley's Lord Hardinge, an equestrian statue which has so captivated the judgment of all artisdom as to stimulate a subscription, hitherto confined to artists, for another cast of it to be erected in London. But we must ask, after all, do the spirit, and liveliness, and action which are so conspicuous in the Cœur de Lion constitute a merit? Ought not monumental sculpture to avoid such violent and excited gesture, and an action which, as in this case, can be but instantaneous? A transient emotion, however successfully caught, interferes with that repose and dignity and majesty which ought to characterize at least monumental art, and the sharp lines and contracted angles of Marochetti may well be compared with the easy flowing lines and the solid life of those equestrian statues of Verrocchio and Donatello which we can happily study at Sydenham. A pretty and sentimental cleverness we do not deny to the hero of Palace-yard; but what would be tolerable in bisque or "Parian" becomes only pretentious in feebleness and extravagant in weakness when produced on a plusquam heroic size, and in a material which aims at eternity. The horse, as a good copy of a horse, is very good; and we may say the same of the horses of Wyatt, especially that of George III., in Cockspur-street, of Foley, and even of Chantrey. Not one of our modern equestrian statues fails to exhibit first-rate naturalistic treatment of the horse; and Marochetti's is among the best. But a very grave question arises, whether the horse, in a heroic group, should not be conventionalised. The horses in the Elgin marbles are not naturalistic; they are ideal, and are allusive and suggestive rather than mere transcripts from the riding-school. To take an instance from parallel statuary already alluded to, the mystical creature which is ridden by Dannaecker's Ariadne is ten times more artistic than the excellent *felis leo* which is to be seen in Bell's Una. The so-called Farnese Bull in the antique Dirce would not get a prize at a cattle show; and we own to some misgivings about the lions for Nelson's monument, which we are expecting, and likely to expect, from Sir E. Landseer. We have not space for the argument; but the question is a most important one. Very high art, especially in a material capable of form and literal truth, should forego the advantages of direct representation. The nice little Parian vases of the day which reproduce most delicately the fuchsia and the convolvulus, are very low in the scale as compared with the conventionalised Greek acanthus and laurel. What the sculptor has to do is to refine, to idealize, to exalt, to suggest—not to reproduce, nor, except moderately, to imitate nature, especially the inferior nature of animal and vegetable life. In an equestrian group the horse ought to be subordinated to the hero; but the horse is not subordinated in the hands of our modern artists, and cannot be subordinated unless it is conventionalised.

The Crimean and Indian wars presented opportunities for the exercise of the highest efforts of glyptic and plastic art. Marathon and Thermopylae do not exceed the devotion of the charge of the Six Hundred, and the fall of Lucknow or of Delhi was never excelled by the subject of any Hellenic monument. The memorials in Waterloo-place and Westminster are the answer to the invitation tendered by contemporaneous history to the capacities of British art. The classicists and mediævalists meet in a contest from which no great amount of credit accrues to either. Mr. Bell is unquestionably a sculptor of great technical and mechanical skill, and with considerable gifts of execution, and even of

elegant sentiment. His well-known "Dorothea" is almost more than pretty; his "Eagle Slayer" has vigour; and his "Una and the Lion" contrasts favourably, in delicacy and sentiment, with the more famous yet sensuous "Ariadne" of Dannaecker. But in the Waterloo-place memorial there is absolutely nothing to redeem its poverty of thought and invention beyond the successful but somewhat servile imitation of the pouches and boots, the buckles, and straps, and bearskins of three very literal and prosaic privates of the Guards. In the way of design, a commonplace and somewhat squat standing female, handing four wreaths to nobody, may pass very well for Honour or Victory, with those who are familiar with the people who dwell in the land of allegory; but this is something worse than commonplace, because it pretends to be better. Mr. Bell, in his permanent bronze, only exhibits the timid and incapable ambition which has throughout characterized this unlucky monument, and which, after trying a dozen antithetical inscriptions, has fallen back upon an extract from the "nominal return of the *London Gazette*," and after many attempts at recondite symbolism in the shape of crossed bayonets, has ended in sheer blankness, which, because it has nothing to say, says nothing. The real and ideal scarcely kiss each other in this composition. Honour in her flowing raiment, descending from the world of spirits, would have suggested something less terrestrial than the practical greatcoats and thick-soled boots of Brown, Jones, and Robinson, full privates in the Guards; and the trophy of cannon tells as much of Waterloo as of Inkermann. Mr. Bell perhaps had nothing to tell, and—we speak after the manner of the Irish—what nothing there is to tell is badly told. Mr. Scott's mediæval shaft at Dean's-yard has its precedent in Italian Gothic; but Italian Gothic, in this particular, only preserved an architectural solecism which was originated in the degenerate age of Roman art. The column, supporting a statue—which that of Trajan is the most familiar, and which has been so often repeated in modern times—was unknown to Hellenic art; and the disproportion between the mighty shaft and the insignificant image perched up aloft has always been reprobated by pure taste. In the Westminster Memorial, the small size of the monument prevents the St. George from being insignificant in proportion to the column; but the whole composition is on too small a scale, and is sadly dwarfed by the Abbey, besides being rather topheavy. In many respects, too much praise cannot be given to the execution. The contrast of colour is good; and the group of statues is carved with great spirit and refinement. Even the shaft, with its vigorous cable moulding, displays a thoughtful eclecticism; but, after acquaintance with Donatello's St. George, we cannot reconcile ourselves to a dismounted Patron of England, still less to so very tame and innocuous a dragon—destined, by the way, never to be struck by that uplifted sword, by which he is scarcely attacked. We see no reason whatever why the Greek practice of heightening statues by metal accessories should not be adopted by the Gothic carvers, and we should have liked a bronze sword. But when the whole composition is enlivened by heraldic colour on the shields, it will at least pass muster, though it will scarcely add to the reputation of any artist concerned in it. We must, however, very strongly demur to the ignorant criticism with which in the House of Commons this monument has been assailed. A Colonel French, perpetual chairman of the Kitchen Committee, thinking that taste in soups naturally implies taste in art, asked whether the Government did not intend to remove that disgraceful solecism—a Gothic group on a Corinthian column. In his reply Mr. Cowper seems to have admitted the justice of the criticism, and announced that, had Mr. Scott's drawing been submitted to him, he would not have sanctioned its execution. Here is every conceivable nonsense. The column is no more Corinthian than Colonel French is Timoleon; there is authority in Venice, and elsewhere in Italy, for a group or a statue upon a column; and if there were not, the innovation is a very fair one, after the precedent of Roman statues. Our objection is to the classical precedent itself as being below the standard of the purest Greek art; but a mediæval column with a group is quite as legitimate as a Roman column with a group. Anyhow—we say it with all respect to Lord Palmerston, and to Mr. Cowper, whose taste is so very like the noble Premier's—that of all the recent monuments erected in London, the Westminster Memorial is the only tolerable one.

The last acquisition to the Valhalla of Trafalgar-square is Havelock's statue by Mr. Behnes. About nothing, nothing can be said. It is a very fit pendant for Sir C. Napier; and we must say that they are a very good match. Noodle answers to Doodle. The difference between *Nihil* and *Nil* is not great. Both gentlemen are provided with cloaks. Sir Charles keeps his cloak on that shoulder which is exposed to the wind coming round the Union Club House; and Sir Henry is symmetrically and antithetically careful about his collar-bone, which is open to the eastern blasts from Morley's Hotel. Both gentlemen have swords—both have bare heads, and look very uncomfortable without their hats in a heavy shower. The one has boots, of which the wrinkles are very fairly done. The other has tights which no human general ever did or could wear, except in a sculptor's studio to show off the said sculptor's very superficial anatomy, and that reconnoitred science which actually knows how the human leg looks in entire repose, standing at ease in a pair of long woollen drawers. Further than this, we have nothing to say except that at present Sir Henry looks

very bilious, and of the regular yellow-jaundice and liver-complaint colour, which is an elegant allusion, perhaps, to his Indian life and death; and that we rather object to the vulgarity in which Messrs. Behnes and Bell, as well as Mr. Adams in his Jenner, have indulged in putting their addresses on their statues. Mr. Behnes, in his Havelock, adventures on a very moderate attempt at symbolism. A diligent scrutiny of the statue, *a parte post*, may detect a bit of a trunk of a palm-tree, by which the eloquent artist is said to wish to typify the cutting short of the hero's career. There is just a little variety in the pedestals of Napier and Havelock; and it is quite a pretty problem to say which is the meanest and ugliest. This last observation leads us to a final complaint. Do our artists know that the pedestal is really part of the work, and that Phidias and the Greek school, and even the best Italian school, never neglected it? In Mr. Bell's work, to be sure, we do not know which is pedestal and which is monument; and in the new *Cœur de Lion*, a narrow slip in the length of the pedestal is vacant for either a paltry bas-relief or an inscription which nobody knows how to write. But what pedestals they are! The *Cœur de Lion* ought to have been lifted up at least twenty feet higher; and even then the group would not have been in scale with the House of Lords and Westminster Hall. The Trafalgar-square pedestals, one and all, exhibit the sort of high art which a packing-case maker could compass. And while our new statues do little to redeem us from poverty of thought, our new pedestals proclaim a poverty of resource and a mean parsimonious cheapness in material and ornament, which is as discreditable to our financial, as the other failure is to our artistic character.

#### LE PROPHÈTE.

THE managers of Covent Garden took a bold, but we believe a wise step, when they brought this opera again upon the stage. There was some risk in the proceeding, for there are few pieces whose representation exacts so lavish and varied an expenditure. To judge from the appearance of the house at its recent reproduction, the venture must have been throughout eminently successful. The Opera has always been, and very justly, a singular favourite with the English public. It stands on the confines of two musical regions, and attracts equally the frequenters of both. High and low art combine to admire it. The fastidious connoisseur cannot deny its claims to a very respectable place in a scientific classification, and the hearty lover of pretty tunes beats time to it more earnestly than to any even of Verdi's *chef-d'œuvres*. In fact, there are few operas—Mozart's, of course, always excepted—in which the esoteric becomes more exoteric, and the mysteries of musical science wear a more attractive aspect to the frivolous and unlearned denizens of the omnibus-box. The rudest ear must be struck with the skill with which the theme is made to reappear, transparently disguised, in each of the beautiful melodies with which the opera abounds. In too many operas the composer relies for his success upon a few brilliant airs, and leaves the rest of the music to take care of itself. It assumes the appearance of a desert of dull recitative, relieved here and there by three or four oases of popular tune. Small masters of music, like great masters of painting, seem to have adopted the lazy practice of finishing off with great care the two or three leading features, and abandoning the rest to the 'prentice hands of their pupils. There is nothing of this sort in the *Prophète*. There is not a bar in it that is not full of interest. The attentive listener will be able to trace almost in every phrase the leading idea with which the composer set out, expressing itself in one form or the other, solemn or passionate, ascetic or gay, adapting itself successively with marvellous pliancy to each motion of the passing drama. All the various melodies bear the stamp of their relationship to each other and of the parent idea unmistakably impressed. Dance, hymn, march, love-song, drinking-song—they are all so interwoven that it is difficult to find one in which each of the others has not something to represent it. At the first hearing they seem as different as it is possible for melodies to be. Mark them more closely, and the one to which you are listening develops itself as at once a reminiscence of the last and a prophecy of the next. This charm is common to the higher category of compositions, though rarely clothed in a garb so popular and graceful; but it distinguishes the *Prophète* absolutely from the inartistic and vapid throng of favourites with which it has in practice to compete.

The cast can hardly be said to have improved since the opera was first placed upon the English stage. In some respects the vocal merits are greater; but there is a decided falling off in dramatic power. Madame Csillag, who represented Fides, is perhaps not so accomplished an artist as Madame Viardot Garcia, but her voice is far finer and its range is very surprising, indeed, so surprising that it is impossible not to feel that the score is here and there deserted for the purpose of exhibiting its capabilities. On the other hand, she is not equal to Madame Viardot in the representation of her very dramatic part. There is too much of stage convention in her movements for the rapid and intense emotions she is required to counterfeit. It is fair to say that she warms with her part, and is more natural and unconstrained towards the end of the piece than at the beginning. In the coronation scene, where Fides is compelled to disown her son, Madame Csillag's reading of the part is quieter than that of her predecessor, and perhaps falls short of the in-

tensity of the situation; yet it is full of pathos. But it is impossible for a spectator to repress the feeling that people do not work their eyes so much, and their bodies so little, in real life. The same criticism applies in a still stronger degree to Tamberlik's acting in the character of the Prophet. He has not the stately grandeur of Mario. The scene in the Anabaptist camp, and the splendid invocation, *Ré del Cielo*, loses much of its force in his hands. It is impossible to forget for a moment that he is an opera singer. In Mario's case it cost an effort to remember it. Illusions are destroyed by the spectacle of a Prophet who is so obviously engaged in distending his chest and measuring his quavers. The Anabaptists looked and acted their part admirably. Perhaps, in deference to English feelings, they assumed a demeanour a thought less devout than properly belongs to their part. The stentorian power of Signor Zelger gave a magnificent energy to the character of Zacharia, and was admirably fitted for the rugged music which is allotted to him. A voice cannot be too deep or voluminous for the terrible chorus, *All'arne*, with which the Anabaptists raise the rebellion in the first scene; and it has been given with a power and good-will that has made it decidedly the finest piece in the performance. Madame Corbari is decidedly an improvement on Castellan in the part of Bertha; but on the last occasion she was unable to appear. Throughout the singing has been good, so far as its musical accuracy is concerned; the deficiency, if any, is in the dramatic expression. The crowded audience appeared to be well satisfied with the performance, but knew its inordinate length too well to indulge rashly in any *encores*. The only occasion on which their self-restraint failed them was in the skating chorus, which was repeated in spite of the deprecatory hisses of a few indignant connoisseurs.

The spectacle of the present performance is prodigiously splendid. Both the interior of the cathedral and the view of the town of Münster are considerably above the average of scene-painting in merit. The procession was adorned with an apparatus of choristers, censers, mitres, and so forth, which some years ago would have called forth furious reclamations; but the scrupulous element has become very passive in the present generation of sight-seers. Perhaps if the said choristers had walked in time to the march that was being played, it would have added to the musical illusion of the moment; at least, their total disregard of that observance had a very grating and uncomfortable effect. After the Coronation March was over the choristers came forward and gave the sublime hymn, *Ecco già il Ré Profeta*, with admirable simplicity. Operas certainly lose a valuable element of variety by not employing boys' voices more frequently. In the skating scene the usual buffooneries and the usual accidents were introduced, to the great delight of the galleries. As managers condescend to this species of attraction, it is a pity they do not carry it out with a bolder hand. A tumble into the orchestra over the footlights, or a roll into the omnibus-box, would make the fortune of an opera with that portion of the audience who come to talk, laugh, and be stared at.

The great blot of the performance was the intercalation of a ballet into the skating scene. If English taste is really so imperious in its errors, and a ballet must be inserted somewhere or other, surely a less incongruous time and scene for it might have been discovered than an Anabaptist camp upon the ice before sunrise on a frosty winter morning. The tavern, or the market-place, or the prison, or even the cathedral, would have been more appropriate. We do not ask for any hard naturalism. We do not suppose that the realization of a state of things in which everybody sings to his neighbour instead of talking can be accomplished without a liberal exercise of the imagination on the part of the audience. We accept the conventional peasant of the opera, and are prepared for strange attire and quaint modes of expressing feeling. But surely it is asking too much of us to conceive a bevy of German peasant girls in tarlatans—and very little of that—coming out in the dark at five in the morning, with the thermometer below freezing-point, to caper and pirouette upon the ice. Setting aside the scantiness of the raiment, which makes one shiver to look at, the slipperiness of the proceeding is horrible to contemplate. The skaters come before, and the skaters follow after; and between their evolutions and their tumbles come the half-clothed young ladies, jumping and whirling about in a reckless fashion, which, in the case of real ice, could only end in concussions of the brain or fractures of the hip-joint. In an artistic point of view, it is an atrocious mistake to intermingle so closely the illusion of ice with the reality of boards; but it is still worse to bring into such near juxtaposition and such sharp contrast the music of Meyerbeer, and the jiggling adaptations of some nameless scribbler. And, to make matters worse, this tasteless insertion made the opera so long that it was necessary to turn Bertha altogether out of the prison-scene, and to despatch the closing catastrophe in such a desperate hurry that half the music was omitted, and all the dramatic meaning was lost. The well-known *Breviam* was galloped through as breathlessly as an oath in a court of justice. We earnestly recommend the managers to depart in any future representation from this obnoxious tradition, and to make the bold experiment upon the public taste of giving them the solid music without any seasoning of ballet. It is hardly worth while to make so fine an opera ridiculous for the sake of so slight a gratification to schoolboys and subalterns.

April 27, 1861.]

## REVIEWS.

TRANSLATIONS BY LORD LYTTELTON AND MR. GLADSTONE.\*

EVERY now and then some anxious parent or guardian writes a letter to the *Times*, or to whatever oracle may chance to command his faith more fully than the *Times*, to inquire what, after all, is the use of making our boys spend so much time at Eton or Harrow in elaborating Greek and Latin verses, or translating into English verse from Latin and Greek? When the oracle answers such an inquiry, its answer is generally oracular, and not without reason. The frame of mind, or the state of education, which drives parents to consult public oracles on such a topic involves a general disability to appreciate the bearings of a particular and strict training in developing the powers of thought and expression, which may well render the public oracle hopeless of impressing any precise explanation of the problem upon its devotees in that light and airy style of summary encyclopedism which becomes a Delphic divinity. But it is fair to say that the answers of public oracles in the special case, however vague, are not often absurd. The parent is seldom requested to believe that boys are drilled in writing Latin hexameters from twelve till twenty in order that they may continue to write them at forty-five or fifty. When a respectable county member quotes a Latin verse in the House, it is at any rate professedly Horace's, and not his own. When a poet has thoughts of his own to express, he must be possessed with more than a poet's insanity if he does not adopt as their vehicle the language with which he is most familiar. Whatever practical use is to be found in the study of the laws of form and the vocabulary of classical verse, it is clear by common consent that such use must lie elsewhere than in the mere acquisition of the power of producing at will careful imitations of Athenian or Roman poetry. The progress of civilization does not appear at first sight to be necessarily affected by the fact that a fragment of Mr. Tennyson or Bishop Heber has been voluntarily rendered into Virgilian or Horatian metre by a man of mature years. Secondarily it may indeed be so, inasmuch as the emulation of producing more perfect hexameters at seventeen than an eminent bishop or judge can afford to evolve at seventy, may perhaps beneficially stimulate the industry of youthful enthusiasts to a more thorough mastery of the difficulties which lie in the way of becoming a first-rate classical scholar. In this way, the example of the hexameter-writing judge and bishop may train towards the mental stature required for judicial or episcopal dignity a crowd of aspirants of a younger generation, who will not all be bishops or judges, but who will all be the better qualified as men for having done their lessons thoroughly at school. But it would be difficult to point out any other sense in which either the world at large or the bishop and judge themselves are permanently any the better for the actual verses written and published by them as such.

Nevertheless we by no means agree with a sentiment which is not uncommonly expressed, that for a grown-up man who has his profession to attend to or other serious work to do in the world, to spend any time in writing Latin verses is absolutely contemptible. If a working educated man is justified in allowing himself any hours of recreation at all, he is justified in selecting any method of recreation which neither interferes with the general comfort or convenience of society nor tends to lower himself morally or intellectually. An interlude of Latin versification, taken in moderation by a hardworked professional man or public servant, does not appear to fall under either of these prohibitive categories. To enact over again, as the sport of middle age, the most serious labour of our youth, is, after all, no worse and no more foolish than to beat the air for half an hour every morning with dumb-bells for the better preservation of our muscular system, although we have no intention of training for the championship, and are long past the age when the size and hardness of the biceps muscle are a legitimate source of anxious pride to its owner. As long as the rehearsal of the gymnastics which exercised the growing body or mind is agreeable to the grown up bodily or mental frame, it is neither out of place nor despicable as an amusement. An overwrought or careworn man is for the moment benefitted and made younger by acting as if he were still young. If the youthful act is innocent in itself, it is no disgrace for the most respectable father of a family to be caught in it on occasion. The bishop disporting himself in his library among the intricacies of the hexametrical censure is much like King Agesilaus riding the stick among his children. The obvious fact that he has not improved, and indeed has rather deteriorated, in longwindedness and agility since he was himself a boy, does not render his behaviour indecorous or imbecile. But Agesilaus rides the stick only in his house, or, at the widest, in his garden. He does not go careering on his hobby-horse along the streets of Sparta, or the critical Ephori who once fined him on the charge of making himself popular would certainly fine him on the more serious charge of making the regal dignity absurd. Neither does the bishop (if he is a wise bishop) provoke the interference of a literary censorship by publishing his sportive hexameters beyond the earshot of his faithful chaplain, and of the circle of his diocesan clergy, unless he can feel sure, as a scholar, that they are such as he would not have been

flogged but praised for as a schoolboy. If he does solemnly dedicate them to the world at large, he must submit to be rated not only by the moral innocence, but the scholarly excellence displayed in writing them.

In the volume before us, the most unexceptionable translations are those dated during the time of Lord Lyttelton's university career. We by no means intend to suggest that Lord Lyttelton's general scholarship has deteriorated since then. There are singularly fine and accurately rendered passages in each particular version which he has attempted. But the earlier ones are marked throughout with a more unerring completeness and a purer classical transparency of expression than can be claimed for the later. It is as natural and probable that this should be the esse, as it is that the favourite in training for the Derby should look fitter to run for a man's life than the same horse when aged and turned out into the paddock. The opposite probability would be the most forcible satire upon the University method of training. Lord Lyttelton and his private tutor at Cambridge were in earnest in working Iambics up to the highest pitch of Academical perfection. His later verses are qualified by himself as "*nugae*"—"quibus horas seu tristes sive vacuas *sefellerat*," the pastime of a sad or leisure hour. Correct, ambitious, picturesque, and scholarly productions as on the whole they are, they betray here and there a sort of *dilettante* carelessness which would hardly have shown itself in work done for the supervision of a *Tripos* examiner. This defect seems in part owing to, or is at least coincident with, the less careful strictness of selection of the passages for translation. The professional translator, so to speak, instinctively pitches upon those parts of a modern author which will bear all through the fullest and simplest reproduction in that classical form which is for the time his most familiar and daily study. The amateur plunges into the task of rendering in an antique shape a whole poem which in in the English looks and is mainly classical, but in which there lie half hid plentiful touches of purely modern sentiment and passion, almost incapable of crystallizing into a harmonious and true form in Greek or Latin words of the best classical eras. The difference is well exemplified in two contiguous translations by Lord Lyttelton in this volume—"The Sacrifice," from Dryden, which is admirably rendered, and the "Lotus-eaters," from Tennyson, where ever and anon, among lines of almost Pindaric or Theocritean purity, we stumble across modern figures of thought and speech draped in language which even the scholars of Apollonius Rhodius would have felt to be forced and unnatural.

A similar contrast may be drawn between the Latin versions of a portion of Goldsmith's *Deserted Village* and the entire poem of *Oenone*, from Tennyson. There can be no doubt that it was an immeasurably nobler task to rewrite *Oenone* after Catullus or Virgil than to reproduce a short piece of Goldsmith in what might be termed its native Ovidian; but it may be questioned whether it would not have been wiser to curtail both *Oenone* and the *Lotus-eaters* by the omission of some particular beauties of modern picturesqueness, as being hopelessly untranslateable. We might point to the latter portion of *Oenone's* lament for her mountain pines—

— never, never more  
Shall lone *Oenone* see the morning mist  
Sweep through them: never see them overlaid  
With narrow moonlit stripes of silver cloud,  
Between the loud stream and the trembling stars,

as obviously incapable of being represented in the full sentiment of its detail by an Augustan poet. The general effect might have been even more easily given in the language of Homer. But the clear sharpness of the small touches of landscape, and the whole mood and sentiment of the picture, are of the ages which have produced Claude and Turner. Lord Lyttelton's

non iterum mea per pineta vapores  
Badere iter rapidum prima sub luce video,

is as bad as need be. The only motion it suggests is that of a paddle-wheel steamer. In the following lines of his translation the moon and the stream and the stars are disjoined from the idea of the pines altogether, and the whole picture becomes irrelevant and unintelligible. We must point out another inaccurate rendering of the English poem, which might be easily rectified. Tennyson's words paint in a single stroke the sweep of the Trojan plain, as seen by the eye looking downward to the sea through the gorges of Ida:—

Troas et Ilios column'a citadel,  
The crown of Troas.

Lord Lyttelton makes the whole Troad appear—

— celis speciosa columnis,

which is an absurdity in meaning and in landscape. It is not hypercritical to advert strongly to such unnecessary blots upon what without them would be a very exquisite rendering of a most beautiful poem.

To say what we think of Mr. Gladstone's portion of the volume is a more delicate matter. It is composed mainly of translations into English; and we are compelled to assert most positively that, with all his command of the English language, Mr. Gladstone is in no sense a good translator. He appears to have tried his hand on Dante's *Ugolino* in 1837; and, as no later translation from the Italian is included in this collection, it may be reasonably concluded that he satisfied himself early that his bent did not lie in the direction of translating Dante. It is perhaps a pity that he should never have drawn any like inference

\* Translations by Lord Lyttelton and the Right Hon. W. E. Gladstone. London, 1861.

as to the probability of his success in translating Homer. If he had made the attempt in earlier life, it is possible that some good-natured friend and competent critic might have assured him, in such a manner as to command belief, that it would not do. It is easier to give blunt critical advice to an undergraduate than to a Chancellor of the Exchequer. But, except for a few lines of the hymn to the Delian Apollo, he does not seem to have touched the Homeric cycle as a translator before 1858. In emulation of *Essays written in the Intervals of Business*, Mr. Gladstone might almost have entitled his portion of this volume *Homer translated in the Intervals of Homeric Statesmanship*. At least there is a strong presumption, from the date which all these versions bear, 1858-9, that they were parenthetically due to his residence in Ionian latitudes. Their character confirms the presumption. They are moulded in a shape which argues extraordinary critical levity in their designer. The judgment which allowed him as a translator to turn Homeric verse into an irregular Marmion-esque kind of metre corresponds not unnoticeably with the inconsiderate rashness which took the measure of the Ionians after a purely English pattern. A critical or political blunder of such a character is equally an index of some want of the common instinct which appreciates the relative fitness of things. It may be a question how far a translation of Homer should be archaic in expression and form. But there can be no doubt that, even if as highly polished as Pope's, it should be simple, weighty, and strong. The nearest approach to these requisites made by Mr. Gladstone occurs in some few lines obviously modelled on the manner of Macaulay's Roman lays; but the ordinary run of his metre and language smacks of the most modern flippancy. Nor is there any indication of scholarship superior to the taste displayed in translation. It is really painful to read so loose, shambling, feeble, and here and there utterly inaccurate a paraphrase alongside of its great original. The "Speech of the horse Xanthus" and the "Death of the dog Argus" are the most unsatisfactory specimens of all. In the description of the qualities of the hound, Mr. Gladstone betrays an utter indifference to the meaning of his author in a passage which we cannot suppose him unable to construe correctly. His versions from the Latin lyrical poets are less liable to objection, and one of the stanzas from the celebrated Sapphic ode of Catullus to Lesbia (itself a translation of Sappho) is intrinsically good and accurate, though deficient in the passion of either the Greek or Latin prototype.

My tongue is palsied. Subtly hid  
Fire creeps me through from limb to limb:  
My loud ears tingle all unbind:  
Twin clouds of night mine eyes bedim.

But we cannot congratulate Mr. Gladstone on the neat simplicity of his version of Horace's Ode to Pyrrha, where

Qui semper vacuam, semper amabilem  
Sperat

is represented by

Who hopes thee ever kind and ever void.

This word appears to be a favourite with Mr. Gladstone. It is used almost as curiously in the end of the Catullian Ode, and without the same excuse of being suggested by the original.

Ease is thy plague: ease makes thee void,  
Catullus, with these vacant hours,  
And wanton,

is a very Euphuistic imitation of—

Otium, Catulle, tibi molestum est:  
Oti exultas, niminimque gestis.

We should not like to pay Mr. Gladstone the moderate compliment of pointing out that at least his translations from Schiller and *Der Freischütz* are fully up to the level of the originals. We believe that Mr. Gladstone's versatile talents would enable him to accomplish better than most men any task to which they were fairly applied. We have no right or wish to quarrel with Mr. Gladstone for wanton in the most promiscuous translation, through whatever void hours of plaguey ease may be found to lie interstitially in those exceptional Exchequer years which contain two Good Fridays and an abnormal quantity of Sundays. But we are forced to suggest that a gentleman of his years, position, and reputation had much better, in such a case, have the doors shut upon him, and play the verse-maker nowhere but in his own house.

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#### MILL ON REPRESENTATIVE GOVERNMENT.\*

**M**MR. MILL is one of those few persons who are able to do a service to their country simply by discussing the subjects in which they are interested. Apart from the value of the opinions he expresses, the mere fact that Mr. Mill chooses to express an opinion on any matter of public importance is sure to turn the attention of a large body of readers and thinkers to the topic which he has selected. And it is of the greatest possible advantage to a free country that those larger and remoter questions of politics which lie behind the politics of the day should, from time to time, be canvassed with perfect freedom, and in a grave and serious way. Mr. Mill, in this new volume, not only enters into what may be termed the philosophy of representative government, but he advocates many considerable changes in the representative government of England. Every one may learn

very much from the mode in which these changes are advocated, and by examining the reasons on which that advocacy is based. We must not measure the value of the book by the amount of agreement we can extend to the proposals it contains. In the first place, the discussion of novel suggestions, when made in a proper shape and by a man of reflection and knowledge, gives a new vigour to our treatment of the politics of the day. We are thus forced to remember, what we are all tempted to forget—that we have not yet the happiness of living in the best of all possible worlds, and that there is something to look forward to of a different kind from that which we see around us, although change too rapid and too violent is, above all things, to be avoided. Persons who are engaged in practical politics, either by actually managing national affairs or by criticising those in whose hands the management lies, can rarely afford to propose any very new plan. Ministers and members of Parliament must regard the consequences of startling those on whom their tenure of office or of a seat in the House depends; and although a political journal may venture to make suggestions with much more impunity, yet practical experience has long ago determined that it is wiser not to be very forward in making original propositions, which can scarcely be argued satisfactorily in a brief space, and in the midst of discussions of an avowedly temporary kind. We might easily be thus led into a state of intellectual stagnation as to all that concerns political principles and the theories that lie at the basis of government, if we did not find men who would discuss such subjects in treatises of a grave and serious nature, affording their writer ample space to say what he pleases, and to say it in the way that suits him. Scarcely any opinion is too wild and extravagant not to do good to those who consider it attentively, provided only that it is made honestly, after due reflection, and by a man who has great natural capacity trained by a wide education. And in the second place, not only does the novelty of political suggestions and the largeness of political inquiries animate and sustain us in dealing with the field of temporary politics, but it is exceedingly useful that we should sometimes feel ourselves obliged to put our reasons for disagreeing with what we think objectionable into a definite shape. When we find Mr. Mill proposing that the suffrage should be given to women, and that every one claiming a right of voting should be called on to do a rule of three sum in presence of the registrar, we are most of us inclined to dissent at once. But it is one thing to dissent, and another to give clear and satisfactory reasons for dissenting.

Any one who is competent to render justice to Mr. Mill's position in literature will allow that, if Mr. Mill advocates a change of this sort, it is worth while at least to assure ourselves that we know why we think he is wrong. A more useful political lesson could scarcely be found than by assigning the reasons on which we think women ought not to vote, and voters ought not to show their progress in arithmetic to the registrar. Let us take the case of the enfranchisement of women. If we deny the advisability of permitting women to vote, we must say either that they are rendered unfit by their nature—that is, the constitution of their minds and bodies—or by the circumstances in which they are placed, or by the deteriorating effect which voting would have on them, or on society. In short, we must say that they cannot vote properly, or that if they could vote properly, the act of voting would involve consequences of so hurtful a kind as to outweigh all the good their voting could do. Few persons would deny that many women would vote on grounds that would bear quite as much examination as those that influence the majority of men. That women generally could learn to vote very properly is perhaps not a very hazardous assumption. Then, although they may be fit by nature, the circumstances in which they are placed may render them unfit to do so. Married women could scarcely differ from their husbands publicly and formally without sowing the seeds of domestic dissensions. To this it may be replied that this jealousy on the part of the husband would be only likely to arise as long as the erroneous notion prevailed that he was always to be treated as the superior, and his wife's existence merged in his. We are thus led back to a discussion of the proper theory of marriage. Or it may be said that although married women might be debarred from voting, that can be no reason why unmarried women of full age and widows should not vote. The answer to this that would probably be given by most persons is that the exercise of a public function would act detrimentally on the character of women, would lead them to undue confidence in expressing their opinions, and to a general prominence and disagreeableness. An objector would reply that this view of women implies that their great function in life is to please men, which they can best do by acknowledging their own inferiority; and it might also be remarked that there are other faults besides those of unreserve and immodesty to which women are prone, that it is quite as much an object to reclaim them from flightiness, silliness, and ignorance as from offences against decorum, and that political responsibility would be a most valuable instrument in effecting this end. We are thus led to ask, what are the proper virtues of women, and what are the faults from which they most require to be guarded? The law of marriage and the character of women are thus found to be the preliminary subjects of inquiry before we can ascertain whether women ought to vote or not. We cannot pursue the inquiry further now. Our object is not to discuss the question whether women ought to vote or not, but only to show that, before we can answer it satisfactorily, we

\* *Considerations on Representative Government.* By John Stuart Mill. London: Parker, Son, and Bourne. 1861.

must have come to a conclusion on some very difficult and abstruse points of preliminary investigation.

It would be a very bad compliment to Mr. Mill either to state nakedly and apart from the context the different suggestions he makes for the possible amelioration of the English system, or to pronounce off hand our assent or dissent. Serious discussion cannot be abridged, and unless we show the stages of our argument the conclusion is worthless. In practical politics the contrary is the case; we must decide, and often we are more likely to see our decision adopted if we do not give too elaborate reasons in its defence. But although our sense of the worthlessness of the brief discussion of philosophical politics prevents our examining most of the details of Mr. Mill's book, we may venture to express an opinion that he does not sufficiently consider a very general objection that may be urged against much of what he proposes. We do not mean that it is a fatal objection, but it is one that ought to be dealt with carefully. It is this. When an object is attained roughly and imperfectly, but still is attained in some measure by existing means—and when, in order to attain it more accurately and fully, new imperfections would in all probability be introduced into the political system—the proposed gain may be too problematical to compensate the proposed loss. We will take two examples. Mr. Mill says that minorities are not represented, and advocates Mr. Hare's system, by which undoubtedly any opinion maintained by a certain fraction of the electoral body would have a representative. It is only in a partial degree true that minorities are not represented. The great parties are so well represented that no one could say which of the two is least so; and therefore if a voter is in the minority at his own place of voting, he may console himself with thinking that Parliament generally does him and his party justice. A particular opinion not connected with the creeds of the great parties is very likely not to have a direct representation; but it may probably have just as much weight as if it were directly represented. It will not often occur that an opinion which could not establish itself by writing would gain adherents in a representative assembly. It might, in very exceptional cases, do so, and to give it the chance is the object of a total change in the whole manner of electoral voting. That Mr. Hare's scheme would effect the object at which it aims is indisputable, but it is equally clear that it would involve the introduction of the system of electoral lists which has done so much to lower political morality in America. As minorities are already represented imperfectly, how are we to know that to get them represented perfectly would be worth the price? In the same way, Mr. Mill wishes that a plurality of votes should be given to persons of high education. Already a sort of rough preponderance is given to high education by the important place assigned to property in our existing electoral system. It is difficult to believe that, under any system, education would really prevail more; and the device of giving a plurality of votes to the highly educated is only a means of counteracting the bad effects of admitting the ignorant masses by a proposed extension of the franchise. To make educational attainments in this way a graduated scale of political worth would undoubtedly be attended with the lamentable consequence of spreading through the community the jealousies, the heartburnings, and the pedantic arrogance of intellectual competition. It might be worth while to do this, but it ought to be shown that our present rough method of attaining the same end is not better.

Mr. Mill discusses many other subjects besides changes in our own system, although we may describe the volume as primarily intended to justify the changes he advocates. He begins by asking what is the best form of Government, and he arrives at the conclusion that there is a foundation for a twofold division of the merit which any set of political institutions can possess. It consists partly of the degree in which they promote the general advancement of the community—including under that phrase advancement in intellect, virtue, and in practical activity and efficiency—and partly of the degree of perfection with which they organize the moral, intellectual, and active worth already existing so as to operate with the greatest effect on public affairs. He then proceeds to show that the ideally best form of Government is that in which the sovereignty, or supreme controlling power in the last resort, is vested in the entire aggregate of the community, every citizen not only having a voice in the exercise of that ultimate sovereignty, but being, at least occasionally, called on to take an actual part in the Government by the personal discharge of some public function, local or general. Representative government alone fulfils these conditions, but it cannot be everywhere applied with success, as it can never be profitably established unless it complies with the fundamental requisites of all good government—which are that the people should be willing to receive it, that they should be willing and able to do what is necessary for its preservation, and that they should be willing and able to fulfil the duties and discharge the functions which it imposes on them. Mr. Mill then preaches with great force the salutary lesson that representative bodies have their proper functions, which alone they ought to aim at fulfilling, and especially that the proper duty of a representative assembly with regard to matters of administration is not to decide them by its own vote, but to take care that the persons who have to decide them shall be the proper persons. With equal earnestness Mr. Mill insists that a numerous assembly is as little fitted for the direct business of legislation as for that of administration, and he warmly defends representative bodies from the charge that they are places

of mere talk. As he says, there has seldom been more misplaced derision. A representative assembly cannot be more usefully employed than in talk when the subject of talk is the great public interests of the country. Mr. Mill then points out that a representative government, like everything else in the world, is exposed to characteristic defects, and that its positive evils and dangers may be reduced under the heading, first, of its general ignorance and incapacity, and then of its being exposed to the influence of interests not identical with the general welfare of the community. From this Mr. Mill proceeds to discuss the danger of leaving minorities unrepresented, and this leads him to discuss in detail parts of our present political system which he conceives want alteration, and to suggest plans for introducing a profitable change.

Many of these details of change are defended by arguments which can scarcely command immediate assent, but the general position assumed by Mr. Mill is one which he holds in common with the vast majority of educated Englishmen. He regards representative government as essentially better than the best of despotisms. He advocates the extension of the suffrage as a means of elevating voters, but he is most strenuous in rejecting all attempts to overwhelm the superior classes by a great influx of the poor and ignorant. Many of the heads which he treats lead him to conclusions which he shares with most of his neighbours, although he reasons with rather more clearness, and tests his results with rather more severity. The volume, therefore, can only be estimated by being read; but the concluding chapter, on the "Government of Dependencies by a Free State," is too important to be passed over in silence. It is especially addressed to the case of India, and lays down the great principle that India ought to be governed for the benefit of India rather than that of England. He advertises to the dangers introduced by the recent amalgamation of India with the territories of the Crown, and the volume concludes with the following eloquent tribute to the merits of the old Company, of which no man was more qualified by nature or opportunity to judge. They are words that ought to sink into the memory of every practical politician:—

What is accounted so great an advantage in the case of the English system of government at home, has been its misfortune in India—that it grew up of itself, not from preconceived design, but by successive expedients, and by the adaptation of machinery originally created for a different purpose. As the country on which its maintenance depended was not the one out of whose necessities it grew, its practical benefits did not come home to the mind of that country, and it would have required theoretic recommendations to render it acceptable. Unfortunately, these were exactly what it seemed to be destitute of; and undoubtedly the common theories of government did not furnish it with such, framed as those theories have been for states of circumstances differing in all the most important features from the case concerned. But in government, as in other departments of human agency, almost all principles which have been durable were first suggested by observation of some particular case, in which the general laws of nature acted in some new or previously unnoticed combination of circumstances. The institutions of Great Britain, and those of the United States, have had the distinction of suggesting most of the theories of government which, through good and evil fortune, are now, in the course of generations, reawakening political life in the nations of Europe. It has been the destiny of the government of the East India Company to suggest the true theory of the government of a semi-barbarous dependency by a civilized country, and, after having done this, to perish. It would be a singular fortune if, at the end of two or three more generations, this speculative result should be the only remaining fruit of our ascendancy in India; if posterity should say of us, that having stumbled accidentally upon better arrangements than our wisdom would ever have devised, the first use we made of our awakened reason was to destroy them, and allow the good which had been in course of being realized to fall through and be lost from ignorance of the principles on which it depended. *Di meliora:* but if a fate so disgraceful to England and to civilization can be averted, it must be through far wider political conceptions than merely English or European practice can supply, and through a much more profound study of Indian experience, and of the conditions of Indian Government, than either English politicians, or those who supply the English public with opinions, have hitherto shown any willingness to undertake.

#### FAIRHOLT'S COSTUME IN ENGLAND.\*

THE word "costume" was unknown to Johnson, but its meaning is now pretty well ascertained. It is expressed by Mr. Fairholt's alias of "dress"—what our forefathers called "raiment," "garments," "clothes." What our posterity may call it we cannot tell—probably not "dress," seeing that that word has latterly got the more definite meaning of a lady's gown. The thing itself is proverbially one of the most changeable in the world, and yet it does not seem more changeable than the names by which it is to be called. But we, at any rate, congratulate Mr. Fairholt on not having put the word "sartorial" on his title-page.

Mr. Fairholt has hit upon one of the most curious and amusing, and by no means the least important, of the lesser branches of antiquarian study. When we see the infinite pains taken about what people wear now, and when we consider that there is no reason to suppose that less pains were taken about it in any earlier age, it seems to follow naturally that the history of men's clothes is no small part of the history of man. A man's dress is so important a part of him that we have but a very imperfect notion of the men of any age unless we know what sort of clothes they carried about them. Official dress, above all, fixes the imagination. The office and its costume go together, or rather the virtue of the office consists in its costume. The average Briton would refuse all belief to the law as laid down by

\* *Costume in England. A History of Dress from the Earliest Period until the Close of the Eighteenth Century.* By F. W. Fairholt, F.S.A. Second Edition. London: Chapman and Hall. 1860.

[April 27, 1861.]

a judge without a wig, and would set no kind of store on the blessing of a bishop without a pair of lawn sleeves. It requires a daring antiquary, indeed, to grapple with the fact that English judges once administered justice wigless, and that the sleeves of a bishop were once no bigger than the sleeves of a curate. To know something of the changes of fashion in dress, both private and official, really adds a great deal to the life and clearness of our knowledge of past history. Both painters and actors are beginning to find this out. Not so very long ago, the public mind fluctuated between representing people in clothes which they never wore and representing them without any clothes at all. Barry painted the Death of General Wolfe, and painted English and French soldiers nearly in the military costume of their Indian allies. It was thought perfectly revolutionary, altogether destructive of high art, when West ventured to paint a British grenadier in the uniform which he actually wore. About the same time Macbeth, Coriolanus, and the rest of them, appeared on the stage in coats and wigs, and in all respects like well-dressed gentlemen of the eighteenth century. The admirers of Mr. Charles Kean have become accustomed to a very different state of things.

Mr. Fairholt has set to his task in the spirit of a true antiquary, and he appears to have ransacked every possible source of information on his favourite subject. Incidental notices in writers of all sorts, from Strabo to the satirists of George III.'s reign, works of art of all kinds and dates, portraits, sepulchral monuments, illuminated MSS—all are laid under contribution. Mr. Fairholt seems to have worked almost as hard at illustrating the clothes of our forefathers as Mr. Parker has at illustrating their dwellings. Not that Mr. Fairholt confines himself to what are more strictly called clothes. Crowns, helmets, weapons of all kinds, all come within his range. Neither ecclesiastical nor military dress is neglected; but Mr. Fairholt has, wisely as we think, concentrated his main strength upon civil costume. Ancient armour and ancient church-vestments are special subjects which attract their special votaries, and several very diligent antiquaries have devoted themselves to illustrating them separately in detail. At the same time they are too closely connected with the general subject to be entirely omitted. Indeed, for some centuries, the male civil costume is almost in abeyance. Not that the priest and the knight always lived in their chasubles or their chain-armour, but both the priest and the knight preferred to be represented in the dress which most clearly marked his calling. Whatever is known of civil costume during those warlike times, Mr. Fairholt has carefully put together, but we are sorry to say that he has not recovered a perfect likeness of one of those fops of the twelfth century whom Bishop Serlo so effectually rebuked.

We need hardly say that the book is elaborately illustrated throughout. Without constant illustrations, the whole thing would be unintelligible—a book of fashions of any age would be nothing without pictures. Mr. Fairholt has also drawn much on the literature of the various periods for those occasional references which are as important in the subject of costume as in that of architecture. In this, as in many other things, Mr. Fairholt has followed the good example of Mr. Parker. Of course, in matters which come in thus accidentally, we do not look for perfect accuracy of scholarship. Probably Mr. Fairholt is not very strong in any branch of knowledge beyond his own immediate line. But we have remarked very few mistakes which call for any notice, or which are really likely to lead anybody astray. It might be as well for Mr. Fairholt not to quote at second-hand books which he clearly has not read—as when he makes Herodotus talk of tattooing as a British custom; whereas Herodotus (v. 6) is talking, not of Britons, but of Thracians. But we can readily forgive the slips of a half-educated man as long as he keeps steadily, as Mr. Fairholt does, to a subject which he really understands. What we never can forgive is when a man goes wantonly out of his way to proclaim his fancied knowledge and real ignorance of matters which do not come within the natural range of his subject.

Mr. Fairholt, as we have implied, begins at the beginning—or rather, in his quotation of Herodotus, before the beginning—and he goes regularly through till he reaches the end of the last century. Naturally, of "the early Britons" he has not much to say, for though we see some slight tendencies that way, Mr. Fairholt has clearly too much sense to plunge very deep into the sham Druidic lore of the Eisteddfods. Then come "the Romans in Britain," about whose dress Mr. Fairholt's account chiefly comes second-hand from various works on Roman antiquities, but he gives some curious illustrations from monuments found in the island itself. It strikes us that antiquaries do not always remember that "the Romans" is a very vague term—that the Roman Empire stretched from Britain to Egypt, that it included an infinite variety of nations in all kinds of conditions, and that the Roman dominion in Britain lasted nearly four hundred years. It is clear that fashions must have varied very much in so great a territory and in so great a space of time. We have not quite got rid of the notion that all "the ancients" lived together. For instance Mr. Fairholt, to illustrate "the great attention paid by the Roman ladies and soldiers to the ornaments upon their shoes," quotes certain recommendations of *Philopatrum [sic.]* to his soldiers, which we cannot at this moment, without a reference, find either in Plutarch or Polybius, but which we dare say are to be found somewhere or other. "Saxons" is another vague word, which has probably concealed as much

ignorance as any word except "Druids." It generally means confusedly all Englishmen who lived between 445 and 1066—that is, during a space as long as that which separates us from Henry III. Most people seem to believe that all "the Saxons," like all "the ancients," lived at once, and that Hengest and Harold may have been most intimate friends. Nothing is commoner than to quote descriptions of the architecture of the seventh century to defend theories about the architecture of the eleventh. Mr. Fairholt is getting beyond this stage; he knows at least that the antiquities of the heathen English must be mainly looked for in barrows, and those of the Christian English in illuminated manuscripts. Of both of these he makes very good use. But we should like to know something about the "monkish chroniclers" who complain of Norman fashions under the reign of Harold. We do not remember anything like it in Florence of Worcester.

The chapter on "the Normans" is mainly drawn from the Bayeux Tapestry. By far the most curious thing in it is the representation of "Welsh knights" from Kilpeck Church in Herefordshire, who certainly cut a figure a good deal different from that of their English and Norman contemporaries. It marks, however, the superior civilization of the Cymry as compared with the Gael, that these Welsh knights have strongly marked trousers. Moreover, we remember reading somewhere that a century or more later, when the last Llewelyn was killed, he not only wore breeches, but there was a letter found in his breeches pocket. It is evident that a Highland chieftain, many centuries later, would neither have worn breeches nor have been able to read a letter. As the Welsh in Henry II.'s time are described as a *pannorum et exbracatum genus*, we had been inclined to attribute the improvement to the humanizing influence of Eleanor of Montfort. Here, however, we have it a century earlier. Perhaps the Welsh knights at Kilpeck were the first apostles of what a correspondent of the *Times* calls "sartorial reform" among their unbreeched countrymen.

For the later mediæval period and onwards Mr. Fairholt has of course abundance of authorities, not the least curious in all ages being the descriptions of costume to be found both in the graver and gayer literature of the several periods. Every age has put forth its homilies against excess of apparel, and every age has produced its lighter anticipations of our own *Punch*. And very queer things fashion has produced, and still does produce. Some of the fashions of former ages seem passing strange, but what age ever produced anything more unreasonable than a hat, a military stock, or the tight-fitting coats and trousers worn not so long ago? The hoop of the last century excited a good deal of merriment, but not more than the crinoline of the present. Each alike has presented an admirable subject for caricature. Perhaps we may seem to be asserting a paradox if we say that male dress is more variable than female. Yet so it certainly is. The difference between the two is like that between changes in the value of corn and in the value of gold. Corn and female dress shift more from year to year, while gold and male dress shift more from century to century. If you look all through Mr. Fairholt's book, it is easy to see that a lady of the present day dresses much more like a Stuart, a "Plantagenet," a "Saxon," or a "Roman" lady, than her husband does like a gentleman of any of those periods. The use or non-use of trousers is a greater difference than can be found between any two forms of European female costume, for of course we are not talking either of Bloomers or of Circassians. And the change from the gown to the coat is only second in importance.

Mr. Fairholt's volume concludes with a Glossary, which forms, indeed, about half the book, and contains a full explanation of the meaning of, we suppose, everything that ever was worn within the specified limits. The article Head-dress is perhaps the most curious. We here have the whole history of hats, caps, horned head-dresses, and what not, from the Phrygian bonnet onwards; and Mr. Fairholt quite agrees with our notions as to the modern hat, "for anything more inconvenient, ugly, and disagreeable never was invented." We do not find Mr. Fairholt bringing out to us astonishing fact that, in Gaul at least, the cocked hat dates from as venerable antiquity as the ninth century. We speak under correction, as not pretending to Mr. Fairholt's or Mr. Planché's knowledge of these matters. But in the second volume of Baluzius' edition of the *Capitularies* is a large plate, copied from an illumination in a prayer-book given by Charles the Bald to the Cathedral Church of Metz. The Emperor sits on his throne, surrounded by various dignitaries, ecclesiastical, civil, and military. The warriors are clad in a dress more Roman than anything else, but they wear on their heads what, to our un instructed eyes, look exactly like cocked hats. In fact, as far as their heads are concerned, these ancient Franks, or whatever they were, are the lively models of the common pictures of the elder Napoleon. On this perhaps slight evidence we venture to hazard a theory. Charles the Bald was the first prince who can be called King of France in anything at all like the modern sense. It is under him that we get our first faint glimpses of the French nation and the French language. Is it possible that the new-born "nationality," as soon as it found itself in being, hit at once, by a happy prophetic effort, upon the outward symbol of the great dynasty which was to arise well-nigh a thousand years after? We have seen both the first and the second Buonaparte described as wearing the crown of Charles the Great; if they will have a Carolingian precursor, would it not be more strictly true to describe them as wearing the cocked hat of Charles the Bald?

## THE FLORA OF CAMBRIDGESHIRE.\*

LOCAL floras have always formed a large portion of the naturalist's library. When none but the rich or the adventurous were able to travel, those who would study the vegetable kingdom were mostly content to become acquainted with the wild plants of their own districts, and willingly turned to whatever guide offered to point out localities for the less common species, and to enable them to identify and name their specimens. A single field, or even the little plot of garden that fronts a suburban cottage, supplies an inexhaustible store of new objects to the student whose researches are directed to the laws of vegetable life, and the functions of the several organs of plants. But the desire to make acquaintance with the varied forms of vegetation, to learn the names, and something of the structure, of the wild plants that spring up wherever man's interference does not exclude them, is a far more common taste, and to gratify it locomotion is essential.

In his first rambles, the beginner discovers that while there are some plants that spread widely wherever the soil and position allow them to vegetate, there are many others whose range is very limited—confined, it may be, to a few spots, or perhaps a single one, in a given district. The excitement of searching for such rarities, now and then rewarded by a successful chase, forms one of the inducements to the pursuit of natural history, and local floras are usually sought for simply as aids towards this object. Few people, however, are now-a-days confined within the limits of a single county. It is easy to travel, and easy to obtain, by exchange with brother naturalists, specimens of the plants that are not accessible to each individual collector. Most of those who feel interested in the pursuit extend their range at least as far as the boundaries of the British Islands, and take for their text-books the works which contain descriptions of all our native plants. To help the collector who merely seeks for the localities or *habitats* of the rarer species, Mr. H. C. Watson's *New Botanist's Guide* supplied, at the date of its publication, an almost complete digest of all the accessible information, so that the need for local floras, confined to a single county, as aids to mere beginners in the study of plants, has become far less evident than it formerly was.

Meanwhile, however, the attention of scientific naturalists has of late years been directed in an especial manner to the geographical distribution of plants and animals. The fact that a plant which is common in Sussex can be found but in one or two spots in Somerset is no longer a mere matter of interest to the collector who wants to paste a specimen into his *hortus siccus*. It is now understood to be the combined result of a variety of causes, vast and intricate enough to envelope in their action the entire surface of our planet throughout uncounted ages. To solve completely a problem seemingly so simple, we should have to endeavour to trace back the past history of the plant, to infer from the best available evidence the probable distribution of land and sea and the climatic conditions of the period when it established itself in Britain, to judge whether it is rare in the western counties because its progress in that direction has been arrested, or because, having been once established there, it has been again driven out by man's interference, or, as Darwin has taught us to inquire, by the competition of more vigorous rivals. The questions here suggested form but a portion of the inquiry that must hereafter be instituted in order to explain the distribution of each individual species of plant. Almost unlimited, therefore, is the field of investigation thrown open to the student of geographical botany. We are as yet barely able to guess its limits, and in no one direction has it been thoroughly explored.

In attempting to reduce geographical botany to scientific principles, the first necessity was to obtain facts, numerous and accurate enough upon which to base trustworthy conclusions. Hence a new interest has been felt by men of science in works containing information as to the local distribution of plants. Descriptions of the plants growing in a limited area are no longer needed, and are, for the most part, a positive incumbrance; but carefully prepared catalogues, naming all the plants found in a given district, distinguishing those known to have been introduced, or doubtfully native, stating any peculiar tendency of each species to shun or to select particular soils or stations, and, in hilly districts, giving the limits of height above the sea-level within which it is found, are eagerly sought for by all who cultivate this new department of natural history.

It will be seen from the preceding brief outline of the problems which geographical botany seeks to solve, that the fundamental conception upon which it is based is that of incessant but gradual change in the vegetable population of the earth. Whether we hold with those who believe that each individual is capable of giving birth to distinct races, whose differences may continually increase during the lapse of ages so as to form new species or genera, or cling to the doctrine which attributes permanence to each specific type within fixed and narrow limits of variation, we must equally admit that the flora of every region of the earth is liable to continual modification. Secular changes of climate, which are the inevitable concomitants of those slow revolutions of the earth's surface that modern geology has taught us to recognise, the more rapid and violent changes caused by

man's activity driving out one plant and introducing another, and lastly, the spontaneous diffusion of certain species that tend to supplant the previous inhabitants of the soil—each of those causes contributes to make the present condition of the vegetation what it is, and to render it different from what it was in past times.

It is obvious that the safest guide to correct reasoning upon this subject would be obtained if we possessed materials for comparing the present flora of any considerable region with its condition before it had been interfered with by civilized man. A flora of Britain at the time of the invasion of Julius Caesar would be no mere antiquarian record, but a document full of instruction to the scientific botanist. Some facts of comparatively recent date are well known. Several North American species, and a few from South America, have established themselves in Europe within the last three centuries, so as not to be now distinguishable from the native inhabitants, and some of these cases of immigration have occurred within a much shorter period. A still larger number of European plants have made good their footing on the west side of the Atlantic, and even in Australia many of our common weeds are rapidly tending to usurp the places of those of native growth.

Botanists are not as yet able to point to a vegetable dodo. We have no knowledge of any plant that, having existed within the historic period, is now utterly extirpated, though it is highly probable that such disappearances have occurred without the evidence being preserved. Many cases of partial extirpation, by which a plant becomes lost in a particular country or district, are well known to botanists. Thus, unless it still lurks in some undiscovered haunt in the Scotch Highlands, the British flora has lost, within the last five-and-twenty years, the delicate Arctic *Menziesia carulea*, which once grew abundantly on a hill in Athol; and there is some reason to think that the same plant has also disappeared of late years from a station in the Eastern Alps still more remote from its natural home.

Such facts, however, as those to which we have referred—the appearance or disappearance of individual plants in certain stations—give a very imperfect measure of the amount and rate of change that may be in progress. Far more might be learned if it were possible to ascertain the entire extent of modification undergone in a single district of moderate extent throughout a moderately long period. It does not seem to have commonly occurred to botanists that, in a certain limited degree, such information is within our reach. Long before the time of Linnaeus there were men who carefully studied the structure of plants, who noted the diversity of their forms, and described them in language sufficiently accurate to be easily recognised. In some instances, the process of identifying the plants of the older botanists is made easy and safe by the preservation of the original specimens, gathered, it may be, two centuries ago. Several of these early naturalists investigated with care the vegetation of some particular district, and have left works containing catalogues or descriptions of all the species they were able to detect. In a few cases it has happened that the same neighbourhood has continued throughout successive generations to be the residence of botanists who have more or less completely recorded its vegetable statistics. By putting together these records, identifying carefully the species of each author, and comparing them with the present flora, it is possible to form a tolerably accurate judgment as to the vicissitudes which the aggregate vegetation of the district has undergone throughout a period long enough to give some sensible results.

The only place in Britain which at all completely affords the materials for such an inquiry as that we have suggested is Cambridge. For many years the residence of the illustrious John Ray, our great naturalist's first work was a catalogue of plants growing about Cambridge, published just two hundred years ago. Two supplements, published in Ray's lifetime, helped to complete the list, and thirteen floras, or catalogues, of Cambridgeshire plants were published during the interval between the last of these and the new work by Mr. Babington. It is therefore evident that a review of the present vegetation of Cambridgeshire, and of the ample records preserved in regard to its past condition, could not fail in competent hands to convey much interesting information directly bearing upon some of the newest branches of inquiry in this department of science. The name of the learned and diligent author of the *Manual of British Botany* was a sufficient guarantee for the care and accuracy with which the work would be performed. In these respects expectation is not disappointed. Mr. Babington has, indeed, abstained from all speculation in regard to the origin of the changes which have occurred within the region of his flora. He has not even directed attention to the most striking portion of this chapter of vegetable history—that which relates to the immigration of many new species, induced or facilitated by the very same operations that have driven out the earlier, not to say aboriginal, inhabitants. In the absence of theoretical views, or even of the admission that there is anything which theory is called upon to explain, Mr. Babington has given all the attainable facts with great fulness and accuracy, and has left us to regret that the absence of reliable materials must prevent the production of similar works in all but a few privileged districts which have happened to engage the attention of a continuous succession of naturalists.

This is not the place to discuss in detail the conclusions that may properly be drawn from Mr. Babington's record, but a few broad statements may be made which will give unscientific readers a notion of the sort of interest that attaches to these

\* *Flora of Cambridgeshire; or, a Catalogue of Plants found in the County of Cambridge, with References to former Catalogues, and the Localities of the Rarer Species.* By Charles Cardale Babington, M.A., F.R.S., F.L.S., &c. Van Voorst.

inquiries. Cambridgeshire consists of a range of low chalk hills, bordered by a broad fringe of level country, having a soil composed of clay and gravel in varying proportions, while the whole of its northern half forms the district known as the *Fens*. Up to the beginning of this century, open downs, used only for pasture, spread over the chalk district; the clay lands were tilled, but without fences, the fields being separated by belts of natural turf on which the native wild plants were able to maintain themselves; the fens were in great part marshes, wherein sedges, reeds, and other palustral species flourished, while true aquatic plants flourished in the broad ditches by which they were intersected. During the last sixty years, the chalk downs have been broken up for tillage, the clay lands have been enclosed, and the "balks" ploughed up, while the fens have been so effectually drained through the application of steam that the plants which twenty years ago were most abundant are now rarely to be found. Of the species known to Ray in the seventeenth century, thirty-one have utterly disappeared, and there are nearly twenty others in the same category which were not observed by him, but which almost certainly existed in his time. At least as many others of the former population have become so scarce that they will probably disappear within the present generation. Botanists are often heard to regret this result of science and civilization, and they might have some reason to complain if the same era of progress which has chased some wild plants from their nearer haunts had not given easy and rapid means of access to those more distant parts of our own islands and the Continent where vegetation remains in its natural state. But it is a mistake to suppose that the destruction of certain native plants which follows the introduction of tillage is a process entirely without compensation. It usually happens, on the contrary, that at least as many new species establish themselves in the district as are lost by the change. There are, for instance, many annuals that cannot live in a region where a thick growth of herbaceous perennials chokes the young seedlings, but which rapidly multiply themselves wherever the plough has left the ground clear.

Mr. Babington has not given a separate list of the plants noticed in Cambridgeshire since Ray's time, distinguishing those which had probably been overlooked by him or his successors from those that are known or believed to have been introduced. It is not easy for one who has a less intimate knowledge of the district than Mr. Babington himself to supply the deficiency; but the following results are not far from the truth. Omitting those questionable species whose distinctive characters have been drawn from minute observation rather than from obvious characteristics, 193 flowering plants have been observed in Cambridgeshire since the time of Ray, whose Catalogue did not profess to include the entire county, but only the portion surrounding the town of Cambridge. Of the entire number, twenty-one are maritime plants growing on the banks of the river near Wisbeach, and fourteen are fen plants. None of these had probably come within Ray's notice. Of the other species found since his time, seventy-one are grasses, sedges, and willows, all belonging to tribes which Ray does not appear to have studied with the minute attention that they require, leaving eighty-seven other species whose appearance is to be accounted for. Of these there are thirty-six that most probably existed in 1660, but were either not seen by Ray, or were overlooked, owing to their resemblance to some allied species, leaving at least fifty-one that may be set down with a high degree of probability as having been introduced since his time. Several of these may be counted as merely accidental cases of introduction—outcasts from gardens, or brought in with foreign seed. As a general rule, plants that come in in this manner do not hold their ground long; they may spread over a small patch of ground, but the rivalry of the native population is too strong for them, and after a few generations they die out. This has been the case with nine or ten of the plants recorded by Ray's successors as having established themselves in Cambridgeshire. It is otherwise with those species that spread by gradually fighting their way in from adjoining districts. These, which owe their position to their own strength, and not to foreign interference, usually maintain themselves, unless some change of circumstances should alter the conditions of the struggle to their disadvantage.

If we have said enough to direct the attention of those who write local floras, and of those who use them, to the rich mine of inquiry that rests almost unworked amidst the commonest facts of geographical distribution, our object will have been attained.

#### AGNES TREMORNE.\*

THE effect produced by Italy on the minds of those votaries of literature who have given themselves up to undisguised admiration of everything Italian, and drunk deeply of the spirit of Southern life, becomes very perceptible when we compare their writings with those of their more purely national contemporaries. To first-rate writing of every description perhaps no classification at all can be applied, for a great work rises as superior to the ordinary generalizations of criticism as a great character to the ordinary standards of praise and blame. But when we descend below the snow-line which divides genius from the undulating hilly country of ordinary

talent, it is easier to classify the facts which meet us. We can trace effects back to their causes, see more plainly the laws that underlie literary phenomena, and account for mental differences and similarities. On the whole, it is comparatively rare to receive an absolutely worthless production from the Italian school of English literature. It seems to be a difficult thing for any of its members to be ungraceful. Nor is the influence they exercise over our literature unwholesome. They counterbalance those narrations of gray set lives and apathetic ends with which it has pleased Heaven that this generation should be afflicted in the shape of the ordinary run of English novels. They translate us from an atmosphere of familiar and somewhat prosy, if not vulgar life, into a region of imagination, of romance, and often of art. Were it not for these, English novel-writing might become a species of Dutch painting. Fortunately, to preserve those of us who are inclined to be practical and homely from absolute extinction as far as all that is imaginative and artistic in us is concerned, every now and then we get a breath of entirely different air. A volume that is full of the spirit of Italy comes among us charged with the refreshing fancies of the South. By passing beyond the Alps, man cannot change his capacities, or alter the native genius with which he has been born. But he can cultivate, if he cannot stretch his powers beyond their natural limits—he can feed his imagination upon beautiful and classical things—he can even develop it by bringing himself under the influence of new life and new forms of thought. We should be sorry to see English literature cease to be English, or even to know that the ranks of the Italian school were to be indefinitely increased. "Where a man is born," says the philosopher, "there also should he abide." But it is right that the advantage we derive from their works should be acknowledged, as the pleasure, at all events, that they give us is certainly very great.

*Agnes Tremorne*—a graceful, though perhaps over-sentimental book—is a very good illustration of the truth of the above remarks. The story is one which, viewed as a story of English life and manners, must be regarded as fanciful and slight. The plot is rather unreal, and the curious connexion subsisting between the leading characters in it is so unworldly and imaginative, that one feels in reading it that a pure fancy rather than knowledge of the world is the well from which the author has drawn. But the very unworldliness of the book suits, perhaps, its Italian dress. When we are in the land of statues and of pictures, of olives and villas, of a blue sky and a blue sea, life becomes invested with brighter colours, and dusty English family histories are lighted up into something of romance. No man puts new wine into old bottles. One of the most charming of modern novels is a book in which a simple and elegant plot is almost hidden in descriptions of Italian life and scenery—like statuary half lost in leaves and flowers. The plot, and the form in which the plot is given to us in such works as *Transformation*, are mutually adapted to one another. The imaginative character of the story, its airy unreality and grace, suit the region in which its action is laid. None but persons of refined taste write works like it. The author of *Doctor Antonio*, whose taste, however, is less suited to the habits and sentiments of an English audience, occupies a lower place in this school of art. A position in the same gallery, though no doubt at a little distance, must be assigned to the author of *Agnes Tremorne*. Its freedom from faults of taste, its simplicity of grouping, and the carefulness with which it has been apparently composed, will go a long way to compensate for a certain want of manliness and strength which, it may be, the author has voluntarily (though, if so, unwisely) sacrificed for the sake of form.

The hero of the story is a young Englishman, Godfrey Wentworth by name, whose love of painting has led him to take up his residence for some little time at Rome. Agnes Tremorne, the heroine, is also staying there with her half-sister, Imogene, whose reason and health have been shattered by the loss of a lover and cousin, on whom the Austrian police have laid their hands. Accident introduces the young Englishman to his countrywomen. He is found to be an intimate friend of Imogene's lover, Herbert, and bent, like Agnes, on discovering tidings of his fate. Herbert, before loving Imogene, had once loved Agnes, but with unusual generosity she had resigned him to her half-sister, on perceiving the hold he had unconsciously obtained on the feminine affections of the latter. Godfrey Wentworth is allowed to visit them in their retirement, and gradually cures Imogene by a process of mesmerism, during the course of which she never is allowed to discover that he is not her old lover. Meanwhile, Agnes and Godfrey conceive a warm friendship for one another, which ultimately passes into love. But in order not to undeceive the sensitive heart of Imogene, who imagines Godfrey Wentworth to be Herbert, the former has to act the part towards her of the latter. This is a delicate situation in which to place the hero, and though the felicity of this part of the plot may be questioned, there is no question about the delicacy with which the author treats it. Carlo Morone, an Italian conspirator, who is a confederate of Herbert, is the dark mysterious figure in the story who throws the rest into relief. He falls passionately in love with Agnes, into contact with whom he has been brought by his political connexion with Herbert, becomes passionately jealous of everybody near her, and determines to win her in spite of herself. A strange likeness subsisting between Herbert and Godfrey lends reason to the supposition that Godfrey is Herbert in disguise, who has escaped

\* *Agnes Tremorne*. By L. Blagden. In Two Vols. London: Smith, Elder, and Co. 1861.

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from prison and is playing false to his revolutionary friends. Carlo Morone plays on this string, and the result of his manœuvres is that Godfrey, just as he has secured the love of Agnes, is stabbed by an Italian dagger. Herbert happily now returns to comfort and protect the reawakened Imogene. Agnes, virgin and martyr, lives unmarried till her death. An English family group, an Italian married couple, and Italian peasants, are almost the only other figures in this slight, strange, elegant, but impossible plot.

In one sense, *Agnes Tremorine* is conventional—in another, unconventional, from first to last. The characters, with scarcely an exception, are dreamy, shadowy, poetical characters, which give us but the artistic side of human nature. There is little incident, and what there is is not the incident to which we are accustomed in real life. It is a little strained, a little fictitious, slightly impossible, though anything but coarsely unnatural. There is something unpleasant about the introduction into a plot of mesmeric agency; and it requires all the taste of the author to make the forced juxtaposition of Imogene and Godfrey Wentworth seem anything but unpleasant too. If this is to be unconventional, *Agnes Tremorine* is an unconventionally conventional book. But from another point of view it is curiously conventional. The grouping of the figures is conventional, as far as art, though not as far as English life, is concerned; and at this point we begin to acknowledge that the poetical unreality of the story does good service to the book after all. It would be impossible, or at least impossible for any but one in ten thousand, to make a picturesque group out of commonplace, every-day English people. Slightly refine, slightly poetise, make the story imaginative, and the personages dreamily unreal, and the picturesque group is much more within reach of literary powers. It is not every writer, however, that can do this. The task requires a correct taste and a classical fancy. This is just the part of *Agnes Tremorine* that is the best. All the lights and the shadows are well and gracefully put in. The story is simple and not overlaid with ornament—the catastrophe is simple and certainly classical, and the style is good, even if a little sentimental. Whoever wrote it is a person that can appreciate the beauties of a good composition. Want of nervous force, want of massiveness, and want of reality—these are its defects.

It is for this reason that the female characters in *Agnes Tremorine* are better done than the male. There are not many kinds of masculine character which are capable of being made picturesque in works of fiction. There is the gracefully insipid character, like Guy in the *Heir of Redclyffe*, who could never be a hero in real life except in the drawing-rooms of a very domestic circle. There are the bold adventurers of the Author of *Waverley's* creation, who charm us in childhood and retain their fascination—half by the force of habit—when we have grown up. Lastly, there are a few of those real rough-hewn natures which from their very rudeness, and fire, and energy, are picturesque even in history's pages to all times. But it is a mistake in ordinary novels to make men picturesque. Most men, except, of course, Italian bandits, neither are nor wish to be picturesque in real life. It is the business of women to be picturesque; and it is on this account that the novels often succeed best which do not attempt to depict them except from an ideal point of view. Women are usually either easily fathomed, or not to be fathomed at all. Men ordinarily require the same length of plummet—that is to say, one of a moderate size. The consequence is that men are generally to be painted as they are. All that can be drawn of women must be drawn with an imaginative and poetical pencil. It is because masculine writers usually attempt to paint women from a realistic, and feminine writers to paint men from an idealistic point of view, that both usually fail. Men should not try to paint women except from imagination. Women should fling aside all imagination when they begin to paint men. But these remarks apply in a much less degree to the novels of the Italian school. An Italian and classical background must have figures in the foreground to suit it. Nor do we wish to blame *Agnes Tremorine* for being a consistent piece of work from first to last.

## MR. DASENT'S BURNT NJAL.\*

**I**N Germany, with its twenty or more Universities, each containing numerous chairs for every possible science, we may well understand that most branches of learning should be represented by several distinguished names. Where there is a demand there is a supply; and when, as in the German Universities, appointments are, as a rule, given to the best man, competition is sure to raise the qualifications of candidates to a very high pitch. But, though this stimulus is wanting in this country, it would seem as if those who, without any ulterior views, devote themselves to any special branch of science or scholarship, do so with an amount of zest and dogged pertinacity which we seldom find among Continental scholars. Mr. Dasent, whose latest work, the *Burnt Njal*, is lying before us, is a case in point. Mr. Dasent has for the last twenty years devoted himself to the study of Icelandie. We owe to him a translation of the *Prose Edda*, a charming collection of Norse tales, several learned Essays on Iceland and its literature, and, lastly, a translation of the *Saga*, or, Biography of Njal—a work of which we gladly

repeat the judgment of a distinguished American writer, that "it is unsurpassed by any existing monument in the narrative department of any literature, ancient or modern." Nor is this all. Mr. Dasent has been engaged for many years in preparing for the press a Dictionary of Icelandic, the materials for which, as he tells us, "were collected with so much toil and skill by the lamented Richard Cleasby," and which is to be published by the University Press at Oxford. Mr. Dasent is at the present moment the first Icelandic scholar in England; and though there are Professors of Icelandic in several of the universities of Germany, we know of no one who has done more than he for making the literary treasures of that distant island available to the public at large. Why a man of his power should devote himself to a subject apparently so ungrateful and unattractive must seem surprising, except to those few who have themselves tasted the pleasure of feeling completely at home in the literature of other nations, and particularly of a nation apparently so different from ourselves, but in truth so like ourselves in language, faith, and feeling, as the Normans of Iceland. That Mr. Dasent might have derived more substantial advantages if he had brought his energies to bear on a more popular branch of learning than Icelandic we have no doubt. Courier used to say that there were five or six men in Europe who knew Greek, but that those who knew French were much fewer. Without fixing at so low a figure the number of those who know English, Mr. Dasent is certainly one of those very few who know how to write sound, homespun, racy, and Saxon English. That such a man should be satisfied with the applause of the twenty or thirty scholars in Europe who are able to appreciate his works, is creditable both to himself and to the people whose literature he has chosen as the favourite field of his labours. Nay, such is the charm of his language, that few even of the unlearned will rise from a perusal of his learned introduction to the *Norse Tales*, or of his elaborate description of Iceland and the Icelanders, occupying the first two hundred pages of his *Burnt Njal*, without thanking their clever guide for having led them through a stiff and barren country without the slightest sense of fatigue. What may be found in his Introduction to the *Burnt Njal* we can best tell in Mr. Dasent's own words:—

And now, after having sketched the physical features of the island, pointed out its first discoverers, explained how it was that Northmen settled on it; dwelt on their faith, their social principles, their method of settlement, their priesthoods, and petty kingdoms; having shown how they passed into a commonwealth, how they assumed a State and Provincial organization; having given an account of the great families which settled in the district to which our Saga more particularly belongs; having brought the chief characters on the stage, and given a rapid outline of the chronology and plot of the piece; having shown how the Icelander in the eleventh century was housed and lodged, how he spent his time, whether at home in his daily life, or, year by year, in the great gatherings on the Thingfield; having traced the topography of that interesting spot, the very heart of the Icelandic body politic, threaded the dark labyrinths of Icelandic law, and then followed those bold Icelanders abroad in the courts of Kings and Earls;—after all these proofs and proceedings have been brought in, to use the language of Mord at the trial for the Burning, nothing remains but to sum up the whole case, and to state a few of its broad features before calling on the public, that great inquest of the country, to utter their finding in Njal's favour, and to say that he is worthy of the pains which have been bestowed on his behalf.

We would gladly follow Mr. Dasent in his rapid outline of the chronology and plot of the *Saga* which he has so carefully and admirably translated. But the story is so intricate, and its web so nicely woven, that in the space allowed here we should only spoil it, without conveying to the reader any idea of its native beauty. The story turns chiefly on the feeling of revenge which, different from the Italian *vendetta*, assumed in Iceland the form both of a legal right and of lawful duty. Though it was open to the injured family to accept a fitting fine from the man who had inflicted the injury, the law did not interfere if the relations of the murdered or wounded man took the matter into their own hands and followed up the quarrel by private war. As each new death increased in awful proportion the number of those who had to revenge their kinsmen, it is extraordinary that after a time any one should have remained to tell the tale. However, we see even in the story of *Njal*, which marks the boundary between the heathen and Christian history of Iceland, that the duty of revenge began to yield before the duty of forgiveness. The last words of Hauskuld, when he was foully assassinated through the tale-bearing of Mord, were, "God help me, and forgive you;" nor did the beauty of a Christian spirit ever shine out more brightly than in Hall, who, when his son Ljot, the flower of his flock, fell, full of youth, and strength, and promise, in chance-medley at the battle on the Thingfield, at once, for the sake of peace, gave up the father's and the freeman's dearest rights—those of compensation and revenge—and allowed his son to fall unavenged in order that peace might be made. We little suspect how deeply this idea of an atonement to be made for every murder or wound is engrained in our language. Among all the Teutonic races, the first beginnings of civil law are to be found in the elaborate tariffs for wounds or loss of life, every injury to life and limb having its proportionate price, according to the rank which the injured person bore in the social scale. Thus, a Teutonic verb which originally meant "*I slew*," came, in the course of time, to mean, *I owe*. "*I slew a thrall*," was the same as "*I owe the money due for a thrall*." "*I slew an earl*," was much the same as "*I must live abroad*." The verb which we are speaking of is no other but our own modern auxiliary *I shall*, which is now, with its faded features, employed to express a future act—something

\* The Story of Burnt Njal; or, Life in Iceland at the end of the Tenth Century. From the Icelandic of the Njal's Saga. By George Webbe Dasent, D.C.L. 2 vols. Edinburgh. 1861.

which we owe and mean to do. But *shall*, the German *soll*, like a few other verbs in English, is really an old past tense which has assumed the appearance of a present. Its terminations—the *t* for the second person instead of *st*, and no termination for the third person instead of *s*—show its original character as a perfect or past tense. Other verbs of the same kind are *I can*, *I must*, *I may*, and our reluctance to say *to can*, *to must*, *to may*, arises from a faint reminiscence of the origin of these verbs. Now, *shall*—the Gothic *skal*—presupposes an old present, *to skil*, which must have meant *to slay*. From it we have the Gothic *skilja*, a butcher or dissector; and possibly the Old Norse *skilja*, in the sense of dissecting and discriminating. There is another Teutonic word which, in Anglo-Saxon, means a wound; whereas in Gothic it is used only for debt. This is the Anglo-Saxon *dolg*, the Gothic *dulgs*. To claim a wound against a man was the same as to claim a debt. "I slew him a head-wound" was the same as "I owe him a head-wound," and thus "I slew" gradually became synonymous with "I owe." The Old Norse *skilling*, the Gothic *skilligga*, our *shilling*, of which no satisfactory etymology has yet been given, must originally have meant the fine inflicted for a wound—the payment, i.e. appeasement, *paccamentum*, adjudged for a certain injury. The Greeks and Romans, though they had the same roots, would never have applied them to this peculiar purpose, because with them no wound would have been bought off with money. The Latin *scelus*, therefore, though similar in sound, is of different origin, and points to a root *skhal*, to stumble.

This is but one out of thousands of words which pass in English as current coin, but the true value, the true metal and alloy of which can only be discovered by the scholar who is acquainted with the ancient languages of the North. And nowhere has the ancient language of the Northmen been preserved in greater purity than in Iceland, which since the days of Harold Fairhair (860—933), became the refuge of all that was most high-born and high-spirited among the inhabitants of Norway. Their language, which, like the English in America, was removed from the influences which local dialects exercise constantly though imperceptibly on the classical form of speech, remained in the island the same almost to the present day; whereas in Sweden and Denmark it grew and decayed till it was changed into two new national dialects, the Danish and Swedish. As late as the eleventh century, if not later, the language of Sweden, Norway, and Denmark is supposed to have been the same. Next to Anglo-Saxon and Gothic, there is no language so essential for the critical study of English as Icelandic; and we should like to see one of our Universities fulfilling what is almost a national duty, and endowing a Chair of Icelandic in addition to those of English and Anglo-Saxon.

#### GOUT AND RHEUMATISM.\*

WE have before us two works, by physicians of high reputation, on gout and rheumatism, and an affection in many respects allied to both, yet not identical with either, which is commonly called "rheumatic gout." Dr. Garrod, though he places this term on the title page of his book, is of opinion that it does not accurately designate the disease to which it is applied, and thinks that "rheumatoid arthritis" would be a more appropriate name. Dr. Fuller, while admitting the distinct character of the affection, defends "rheumatic gout" as its most suitable appellation—as pointing to the nature of the diseases with which it is allied, yet as sufficiently distinctive, and having the advantage of being already in extensive use. Such a dispute about words need not, we think, have called forth the remark of Dr. Fuller, that Dr. Garrod "has deserted his favourite bantling, 'Rheumatoid Arthritis,' and has adopted 'Rheumatic Gout' as the title of his book." This is in bad taste. In criticising scientific terms, it is neither necessary nor becoming to resort to flippant and disrespectful language towards those by whom they may be adopted. Besides, it seems to us that the term advocated by Dr. Fuller is not nearly so good as that which he affects to ridicule. What sense is there in calling a disease gout, whether rheumatic or otherwise, which is acknowledged on all hands not to be gout? And as for extensive use, if a term be a bad one, the more extensively it is employed the worse.

We can offer but a brief notice of these two elaborate treatises, and must restrict our comments to a few only of the more important topics in each. As a disease attended with severe suffering, and, in some cases, with great danger to life, and as entailing much misery on successive generations—to say nothing of its affecting principally the wealthier classes of society—gout has occupied the attention of many eminent medical inquirers from very early times. Amid all diversities of opinion there has been a prevailing notion that it was essentially a disease of the blood. Indeed its hereditary character, as well as many of its more striking phenomena, lead almost irresistibly to this conclusion. It has only been of very late years, however, that organic chemistry has been sufficiently advanced to afford any chance, even to the most ingenious inquirer, of determining the particular abnormal condition of the vital fluid in which the morbid tendency consists. There is no

one to whom the pathology of gout is more indebted than to Dr. Garrod. His discovery of the excess of uric acid in the blood of gouty patients is a very important one. Still more curious and not less important is his observation that the actual existence of gouty inflammation in any part destroys the uric acid of the blood contained in the vessels of that part. He has shown that the blood of healthy subjects contains a slight trace both of uric acid and of urea. The ordinary processes for detecting the presence of uric acid in the blood require considerable time, care, and skill in chemical manipulation; but Dr. Garrod has contrived one which, though not sufficiently delicate to detect the very minute quantity present in healthy blood, is fully sufficient for the detection of abnormal quantities. This method he calls the "uric acid thread experiment." For the manner of conducting it, we must refer to his work. (pp 110—113.) He has also shown that, by means of the same test, an excess of uric acid may be detected in the serum of the blood when effused under the cuticle by the action of a blister, the inconveniences of venesection being thus avoided. It is to be remembered, however, that, in accordance with an observation previously referred to, the serum from a blister applied immediately over a gouty joint will afford no uric acid. The blister intended for this purpose must therefore be applied to some other part. Urea, also, often exists in abnormal quantity in the blood of gouty patients. This fact was stated by Dr. Garrod in 1848, and has been confirmed by his own later observations, and by those of Dr. William Budd. Like uric acid, it may be detected in the serum of blisters, as well as in the blood itself.

All these are very interesting and valuable conclusions, and, in the absence, as far as we know, of contradiction, may be considered as well established. Dr. Garrod has also made some important additions to our knowledge of the morbid anatomy of gout. It is a familiar fact that deposits of a chalklike matter in and around the joints are of frequent occurrence in gout, and it has long been known that these consist principally of urate of soda; but they have been always considered as belonging only to chronic and inveterate forms of the disease, and no notion was till lately entertained that there was any necessary connexion between gouty inflammation and such deposits. Dr. Garrod gives an account of numerous dissections illustrative of the forms in which this matter occurs in gouty joints, and the articular surfaces of bones and cartilages. In the examination of cases of chronic gout with extensive chalky deposition, he has obtained results nearly the same with those of other observers, excepting that he has never found the white deposit within the substance of bones, and altogether unconnected with cartilage, as certain distinguished French pathologists state that they have done. In a second class of cases, where no chalk-stones were present, except one or two specks on the cartilage of the ear, the post-mortem examinations revealed the fact, not previously known, that extensive deposits may take place internally on the articular cartilages, and synovial and ligamentous structures, without any corresponding external development. In a third class of cases, in which no trace of chalky matter was externally visible in any part, and in one of which only eight attacks of the disease had occurred, it was clearly demonstrated that the joints may become seriously incrusted on their internal surfaces without yielding any evidence to external examination:—

The establishment of the fact [says Dr. Garrod] that gouty inflammation is invariably accompanied with the deposition of a peculiar salt, is of the highest importance, inasmuch as it proves the inflammation to have a specific character, and to differ entirely from the various other morbid affections of joints with which it has been hitherto confounded. I may add here that although I have made many examinations of the joints of the subjects of different articular diseases, in no other affection have I ever detected this deposition on the cartilages, or elsewhere. It never occurs in acute or chronic forms of rheumatism, nor in the disease commonly known by the name of chronic rheumatic arthritis, although alterations of a still more serious nature are frequently met with in these latter cases.—(P. 225-6.)

The changes which take place in the kidneys of gouty subjects have received valuable illustration from the recent researches of Dr. Garrod. A notion has long prevailed that some connexion exists between gout and an altered secretion from the kidney—a notion doubtless derived from the frequent concurrence of gravel and gout in the same individual, and the fact that the most common material of urinary calculus and gravel is uric acid, which is also a constituent of the characteristic deposits of gout. A peculiar contracted and shrivelled state of the kidney, with thickened and opaque capsules, and granular surface, had been observed in cases of inveterate gout long before the late Dr. Todd drew particular attention to it, and gave it the name of "the gouty kidney." A considerable deposition of chalky matter, in the form of streaks, had also been observed in this species of morbid kidney, chiefly in the direction of the tubes of the pyramidal portion. By microscopical and chemical examination, Dr. Garrod ascertained that this deposit consists of urate of soda crystallized in a prismatic form. A similar atrophied state of the kidney occurs in other diseases besides gout, but the deposition of urate of soda is peculiar to the gouty kidney. Thus far, Dr. Garrod had merely given greater precision to the results of preceding observation; but no light had yet been thrown on the changes which occur in the kidney in cases of acute gout, and those in which the disease has not been of long standing. He has since shown, by a series of satisfactory observations, that the same atrophied state of the kidney with deposition of urate of soda is common in the acute

\* *The Nature and Treatment of Gout and Rheumatic Gout.* By Alfred Baring Garrod, M.D., F.R.S., &c. London: Walton and Maberley. 1859.

*On Rheumatism, Rheumatic Gout, and Sciatica: their Pathology, Symptoms, and Treatment.* By Henry William Fuller, M.D. Cantab., &c. Third Edition. London: Churchill. 1860.

as well as in the chronic forms of gout, and may present itself even where only a few paroxysms have been experienced.

The subject of the treatment of gout is very fully and judiciously handled by Dr. Garrod. We can notice only one point relating to it—namely, the action of colchicum. Among the later Greek and the Arabian physicians, the *hermodactyle* was in high repute as a remedy for gout and rheumatism. Again, in the latter half of the eighteenth century, a secret preparation called the *Eau médicinale* was brought forward by a French officer of the name of Husson, and attained a wide reputation for the cure of gout. Lastly, the *Colchicum autumnale*, or meadow saffron, introduced about the same time to the notice of the medical profession by Baron Störk, has, of late years, been so incontestably proved to possess specific powers in gout that none but a sceptic, who was determined to be so at all events, would venture to dispute the fact. Now, there is every reason to believe that the hermodactyle was the root, or in more exact botanical language, the *corm*, of some species of colchicum, and Husson's medicine has been ascertained to be a preparation of the same drug. We have here, then, the medical testimony of antiquity concurring with that of our own times, and both corroborated by an empirical evidence which is now known to bear in the same direction—so that our belief in the efficacy of this singular remedy may be said to rest on three separate and independent testimonies.

Dr. Garrod devotes a chapter to the consideration of the *rationale* of the action of colchicum, the question of its safety, and the proper circumstances of its administration. The most obvious notion of its *modus operandi* might be that of its eliminating some morbid matter from the system through the kidneys, skin, or some other outlet. Dr. Garrod has, however, instituted careful inquiries on this point, and has been led to conclusions which we have not room to specify, but which are decidedly unfavourable to any such notion. That the operation of colchicum does not depend on its promoting any excretion, seems evident from the fact—first remarked, if we mistake not, by the late Sir Henry Halford, and since repeatedly verified—that the medicine is most potent when it produces no appreciable effect of any kind, except a rapid abatement of the symptoms, acting, as it were, like a charm. On the whole, the efficacy of colchicum in gout is, at present, as inexplicable as it is certain.

Admitting such efficacy, a very important question arises, whether the temporary benefit derived from the action of the medicine may not be purchased at the expense of permanent injury to the system, by inducing nervous debility, and other evils, including a liability to more frequent attacks of the disease? On this head, both professional and popular opinion have been much divided, and, in the present day, high medical authorities differ. Thus, the late Dr. Todd maintained that although colchicum shortens the duration of the paroxysms of gout, it renders them more frequent, and that the system gets accustomed to its use, as to that of opium, so that the dose must be increased to insure its effect. Dr. Watson, on the other hand, is a warm advocate of colchicum, regarding it as not only an almost magical remedy in the acute paroxysm of gout, but as the best medicine in the chronic form, when administered in small or alternative doses, and as even capable, in similar doses given during the interval, of warding off an impending attack. Dr. Garrod seems, on the whole, to have full confidence in the powers of the remedy, and to believe that any bad effects which may be observed are consequent only on its injudicious use. In this we entirely concur. If mere routine practitioners will administer colchicum in all cases, indiscriminately and blindly, or if patients will perpetually drug themselves with it, in the absence of, or, as not unfrequently happens, in direct opposition to professional advice, it may be expected, like other powerful agents when ill-directed, to do much harm; but we are convinced that, in prudent hands, it is not only marvellously efficacious, but productive of no evil results whatsoever, and withal one of the most valuable resources of which the art of medicine is possessed.

Dr. Fuller's work is the most comprehensive that has yet appeared on the subject of rheumatism, the nosography, pathology, statistics, and treatment of which are illustrated with all the aids of full information and ample experience. That rheumatism is a disease of the blood is evident from a variety of considerations; such as the occurrence of premonitory fever, and the far greater amount of febrile disturbance than can, in many cases, be accounted for by the local symptoms—the erratic nature, and yet symmetrical distribution of the local affection—but, above all, the decidedly hereditary character of the malady, and its general analogy with gout, in which the existence of a *materies morbi* in the blood has been satisfactorily proved. These considerations are principally derived from the strongly-marked form of rheumatism which attacks the joints. The affections of the nerves, muscles, and other parts, which are referred to rheumatism, are of more doubtful character; they may be connected with the gouty, as well as the rheumatic, diathesis, and, in some instances, with causes independent of either. Rheumatism of the joints, commonly known in its more active forms as "acute rheumatism," or "rheumatic fever," may lapse into a sub-acute, or a chronic state, or the disease may from the first assume either of these less active forms. It is to the acute form that the few remarks we have to make will chiefly apply.

What may be the particular vice in the constitution of the blood in which the rheumatic diathesis consists, is a point which chemical analysis has hitherto failed to determine. The conjecture

thrown out by Dr. Prout, adopted and enlarged upon by Dr. Todd, and further elucidated by Dr. Headland—that the phenomena of the disease are referable to the excessive development of lactic acid in the sanguiferous system—is that to which Dr. Fuller strongly inclines; and, in the present state of knowledge, it may perhaps be regarded as the most probable. One of the most important points connected with acute rheumatism is its frequent complication with affection of the heart, which is, in fact, generally speaking, the only source of danger. The subject is very ably treated by Dr. Fuller, and his appreciation of the physical signs in connexion with the general symptoms is such as might be expected from a practical physician as contradistinguished from a mere auscultator. We are fully persuaded that disease of the heart is a more frequent accompaniment of rheumatic fever than it ought to be, and this leads us to the subject of treatment. Dr. Fuller has some valuable observations on blood-letting. He is, generally speaking, decidedly averse to it as a remedy in acute rheumatism, and in this we quite agree with him, on the ground not only of its inefficacy, but of its positive danger. It is rather a significant fact that M. Bouillaud, the *practitioner* who is the chief advocate of venesection, is also the *pathologist* who maintains the almost inseparable connexion of membranous inflammation of the heart with acute rheumatism. Again, Dr. Macleod, an English advocate of large bleeding, reported pericarditis in nearly one-fourth of his cases. In contrast to such results, Dr. Fuller cites the observations of several eminent practitioners, and adduces his own experience, which gives only five cases of pericarditis out of one hundred and sixty-eight of acute rheumatism. He also makes the following appropriate quotation from Fordyce, a remarkably clear-headed and practical writer of the last century:—

"While it was the practice to remove the general inflammation by bleeding, metastasis frequently took place to the interior parts of the body, and destroyed the patient. This accident, in the author's practice during the last fifteen years, has rarely happened. In this period he has entirely left off bleeding in acute rheumatism, and he has not lost above two or three patients, although he has treated several hundreds in this disease." (P. 84.)

We have not the slightest doubt that the injudicious use of the lancet has had a great deal to do with the prevalence of heart-disease in acute rheumatism. But we must not enter into the treatment of rheumatism. That recommended by Dr. Fuller is based on general experience, and not unduly biased in favour of any special method or medicine. We believe, with him, that much of the intractability complained of in this disease arises from too exclusive an addiction on the part of practitioners to this or that particular remedy or plan of treatment.

#### MR. JONES ON EGYPT.\*

A LESS valuable or more unnecessary compilation has rarely fallen under our critical notice than the volume which Mr. Foulkes Jones has published on the Biblical Relations (as he calls them) of Egypt. This gentleman has had the good fortune to make a tour in Egypt, and to ascend the Nile as far as the First Cataracts. He acted most laudably in reading up the whole subject before, or during, his journey. Few men of fair education would go to Egypt without perusing Wilkinson and Lane, or without making some acquaintance with the researches of Lepsius and Hengstenberg—even if they did not further ascertain the drift and result of the inquiries of Bunsen, Miss Fanny Corbeaux, and Mr. Dunbar Heath. All this Mr. Foulkes Jones has done, and we do not doubt that he has been greatly benefited as well as amused by the smattering of Egyptology which he has thus acquired. If, in the process of gaining this knowledge, he wrote out copious extracts into a common-place book, and even made careful abstracts of the discussions which most interested him, we have no right to complain, but ought rather to commend his diligence. It is a different thing, however, when he infests all these second-hand collections on the public in the shape of an original book. What right has a man to dilute the results of the researches of other writers, and then to offer them as his own? It is true that Mr. Jones makes no formal claim of originality, and refers very often to his authorities. But we doubt whether from the first page to the last there is a single original fact or reflection in this volume. It is a distinct fraud upon purchasers to offer so flat and spiritless a *rifacimento*—poor in matter and intolerably dull and conceited in manner—when for the same money they could procure a standard work on the subject. Mr. Jones has not even been at the pains to include the latest results of modern discovery. There are indeed some brief and obscure references to M. Mariette's recent explorations for Said Pasha, but we confess that we scarcely understood them till we saw the lucid account of the Serapeion of Memphis, the excavations at Ghizeh and Saccara, and the Catacombs at Alexandria, given by Professor Donaldson in his recent paper before the Institute of British Architects. With this exception, and the remark in one place that the land slopes on each side from the elevated banks of the Nile to the base of the limestone hills which hem in the valley (which we do not remember to have seen noticed before), and a rather amusing account of the way in which the Arabs hauled the traveller up to the top of one of the Pyramids, there is, we believe, nothing fresh or

\* *Egypt in its Biblical Relations and Moral Aspect.* By J. Foulkes Jones, B.A. London: Smith, Elder, and Co. 1860.

new in the whole of this volume. The observations on Eastern life as seen at Cairo, and the incidents of travel, are peculiarly stale and vapid. In those parts of the book which alternate with graver discussions, in the way that is now fashionable with the writers of tours, the literary style is colloquial and inexact in the extreme. We suspect that these are generally extracts from Mr. Jones's letters to his friends at home. Nothing else could justify a man in speaking, as he does almost invariably, of "old Nilus," "old Homer," "old Herodotus," "old Father Cheops," and the like. In one place the great Pyramid is, by a bold figure of speech, familiarly called Cheops, and we have this graceful and intelligent rhapsody:—"For vastness there is nothing like Cheops, it is the acme of the sublime in art. There is but one Cheops in our world." We will give another specimen in which it is doubtful whether the sentiment or the grammar is the prettier:—

But it was a sad sight, and it made one almost melancholy to think of so many tombless dead. My guide pointed out to me a little short grave, and looking in and finding some tiny bones, something told me—this was a pretty little child once, and he laughed and cried like other children. Then we raked some sand and filled up the grave as well as we could, and having put some stones on the top of it, I said, Sleep on now, little stranger, till we "meet" again.

It may puzzle some of our readers why Mr. Jones should put the word *meet* between inverted commas in this passage. For our own part we believe that he thinks it a Scriptural quotation. His whole style is interlarded with such tags. Thus, if a Copt comes upon the scene, we are sure to be reminded that he carries a "writer's inkhorn." If, again, Mr. Jones is bemused on the Nile, he prays for a "good wind." In all these cases the inverted commas are meant, we suppose, to show the extent of his acquaintance with the authorized version. The specialty of his book, indeed, is that it deals with Egypt in its "Biblical relations." Of course it is quite impossible for a religious man to visit Egypt without deep emotion and much thought as to the Exodus and the general connexion between Egypt and the Israelites, and the general course of Scripture history. This, indeed, is the main subject of Hengstenberg's treatise; and there is already an English work, by Mr. William Osburn, entitled *Ancient Egypt; her Testimony to the Truth of the Bible*, which, if known to the writer now before us (of which we are not certain) makes his present work still more inexcusable. Once more we may command Mr. Jones for his anxiety to confirm his own faith in revelation by what he saw of Egypt and of the East; though he need not snarl at all whose views differ from his own, as though they were rationalists and infidels, or as bad as Von Bohlen himself. But there is little to be said for a man who can dare to class together "Popery, Mormonism, and other religious delusions." Mr. Jones is an extreme religionist who can sneer at the Christians, or, as he calls them, "our 'brethren' of the third or fourth century," for their "true iconoclastic rage" in defacing the images of Osiris at Medinet Habou, when they turned a court of the temple there into a Christian Church. "They put up their own altars," he says, "in the temples of the Egyptians; and having plastered their sculptures with mud, they laid them out (?) with the symbols of their own superstition. We have here the figure of the Cross, and the Virgin and the Holy Trinity." When a poor monk from the Coptic convent at Gebel-el-Tair comes off to his boat, Mr. Jones calls him, politely, "this ragless dupe of superstition." This writer does not see that his own faith, however sincere it may be, is not likely to be commended to others by self-sufficiency and uncharitableness. For our own part, while we do not yield to him or to any one else in a proper reverence for Scripture, we distrust the advocacy of a man whose faith seldom soars above a mere unreasoning Biblicalatry. We protest against the support of a partisan who seems to think that his own observation of some peculiarity of Eastern life and manners is a proof of the genuineness of Scripture, and that the quotation of a familiar Biblical expression is an argument against rationalism. To our minds, the existence of a picture of an Egyptian feast in some Royal tomb is not in itself a convincing proof that Joseph entertained his brethren. We could have taken that statement for granted without the ocular proof of an actual picture of a (perhaps contemporary) Egyptian banquet. Nothing, indeed, can be more interesting than a visible portraiture of such an entertainment; but it does not of itself convict a gainsayer of the truth of the Mosaic history. We doubt whether twaddle, in the shape of Biblical illustration, could go further than the following quotation; and we call attention to the importance of the concluding remark, which is credited to that profound writer, Dr. Kitto:—

Joseph having pronounced the blessing—for the Egyptians were very particular to say "grace before meat"—the company sat down to dinner, most likely on the floor, each with a little stand before him, on which the provisions were put; hence the command of Joseph to "set on bread." Benjamin, being the youngest, was at the lowest stand; but Joseph sends him messes five times as large as those of the others, being, as Dr. Kitto remarks, "his mother's son."

Nothing, indeed, can be more ludicrous than the way in which Mr. Jones introduces, on every occasion, his confirmation of Biblical manners with fragments of texts or scriptural phrases. Thus, on his Nile boat, the sailors go to rest early; and he moralizes on the fact in this way:—"It was when 'the sun was set' that Jacob, on his way to Haran, 'lay him down' for the night; and thus the Arabs. They generally go down with the sun, and here I found them preparing themselves for rest." Did

it never occur to Mr. Jones that Jacob was on a journey? and that Captain Burton, for example, in his African travels, probably went to rest when it grew dark, in order that he might be ready for the earliest daylight? Entering a mosque at Cairo, our author finds an Arab at prayers barefoot. He profoundly observes that this "may possibly have a reference to a former practice in the East," and quotes three Biblical texts in illustration. From Cairo he goes to see the famous obelisk at Heliopolis; and here are his sapient reflections. The last of them we believe to be borrowed from the text to the picture of this obelisk in Roberts' *Views in Egypt and Nubia*:—

Sometimes I thought it looked like an old sentinel kept here by heaven to perpetuate the name and memory of ancient "On;" then I thought it looked more like an orphan, with all its companions gone, and whose presence now only seemed to make the surrounding desolation still more desolate. However I was glad to see it, if it were only on account of Joseph; for he often used to come this way, and he may have often turned to look at it; just as [we] were doing to-day."

It is not every one, we are told in one place, who goes to Egypt "with right feelings." Every one so "imbued" is patient of the tedious passage up the Nile against stream. The author and his companions were too much concerned with the "Biblical relations" of Egypt to care for any parts of its profane history. Their guide between Thebes and Assouan shows them the remains of temple built by Cleopatra. "Not that we cared," says Mr. Jones, "for anything that belonged to this woman." A hospitable sheikh invites them to a feast, but he ran a chance of getting no thanks, because his bill of fare was not strictly Biblical. "We had no 'fatted calf,' and no 'butter in a lordly dish,'" complains Mr. Jones; "but we had a boiled kid, with some bread and dates; and we had, too,"—here the prospect improves, in its Biblical relation—"a favourite dish of the Israelites—heilbeh grass, a common food in Egypt for men and cattle, but which"—can we believe our eyes?—"I did not taste." At Carnac there is a sculpture which, according to Champollion, represents Rehoboam as the captive of Shishak. "There is something humiliating," observes our author, "in the thought of Rehoboam with a rope tied round his neck, and dragged by Pharaoh before the shrine of Amon." No Egyptologist doubts as to the surpassing interest of the picture, discovered by Rosellini, which is supposed by many authorities to describe the actual brickmaking of the Israelites under their cruel taskmasters. Mr. Jones, however, is so moved by this as to assert plainly that "to most lovers of the Bible" this work of rude art is "unparalleled in the history of painting."

Acting upon his principle of using other men's brains, Mr. Jones gives a sort of succinct account of the progress of the art of interpreting Egyptian hieroglyphics, which is borrowed from Birch's admirable *Introduction*. In this, however, as in many other places, we much doubt whether he understands what he is saying. Who, for instance, can suspect him of any acquaintance with Semitic language when we find him, out of five Hebrew words in one place, spelling two absurdly wrong? There is quite a fatality about Hebrew printing. People insist on using the Hebrew characters when it is wholly unnecessary, except as a parade of learning; and as often as not the letters are counterchanged in a way which proves that the pretender has not even mastered the elementary difference between the several characters. It is scarcely necessary to say that the discovery of the Rosetta Stone, to which we owe the first key to hieroglyphic writing, affords to Mr. Jones a rare opportunity for displaying all the resources of his learning and his style. He shall gibbet himself in his own words:—

May there not be a marked Providence in all this? It is true that the discovery of the Rosetta stone was the product of a military accident; still it is no less true that it may have been the result of a divine purpose. While Moses was writing out his wondrous history amid the solitudes of Sinai, just opposite to him in the valley of the Nile was some pagan sculptor with mallet and chisel, certifying those details in granite; and while, in our own day, certain French infidels were trying to falsify these Egyptian records, the Rosetta stone turns up to confound them in the attempt. May it not be another gyration of that mysterious Wheel that cast Joseph to the house of Potiphar?"

The same subject is further discussed in this wise in another part of the book:—

A great day was that for religion and literature, when the pickaxe of one of the men revealed the now world-famed Rosetta stone. It is singular how many of the most useful inventions of art as well as the most brilliant discoveries of science, may be traced, as here, in their first beginnings, to something like the evolutions of chance—things purely accidental, such as the fall of an apple or the steaming of a tea-kettle. When the Rosetta stone was exhumed from the sands that had buried it for so many ages, little was thought of it; and yet this military accident, with its consequent results, has given birth to a new and independent branch of study—has, in fact, added another name to the roll of science, and another trophy to the cause of truth. No country has been more friendly to Christianity than our own, and it seemed fit that the instrument that had done so much for the interests of religion should become the property of those who could appreciate it best. And, accordingly, on the success of our arms during that French war in the East, this Egyptian monument fell into English hands, and is now deposited in our national Museum, where it will be regarded not only as a memorial of British conquest, but a symbol of British learning and piety.

We have said more than enough to show the worthlessness and pretentiousness of this volume. It is much to be regretted that such travellers cannot keep their observations to themselves. Such weak defenders of Scripture do incalculable injury to the cause which—no doubt sincerely—they have at heart.